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Pennsylvania. Laws, statutes, etc.
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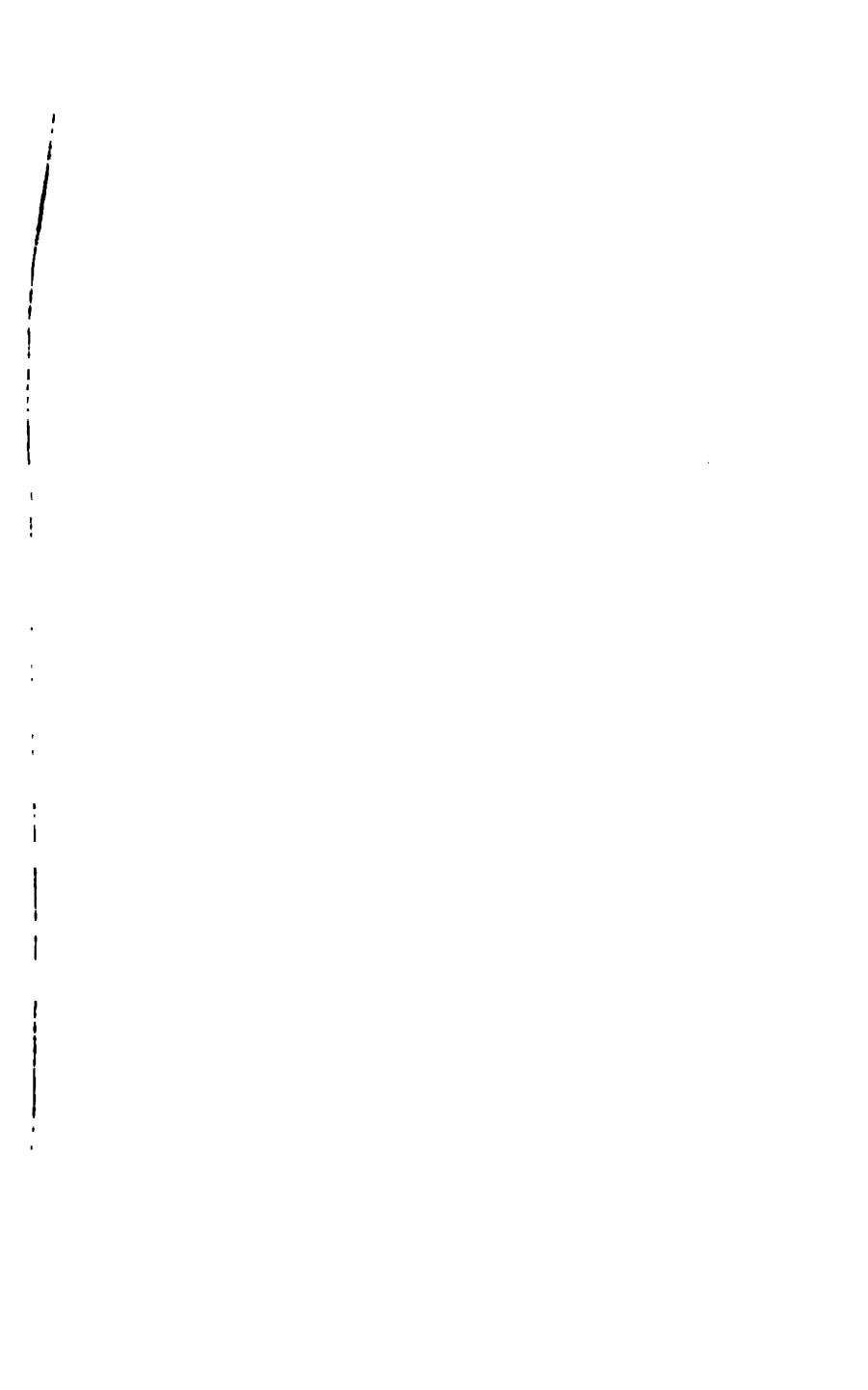
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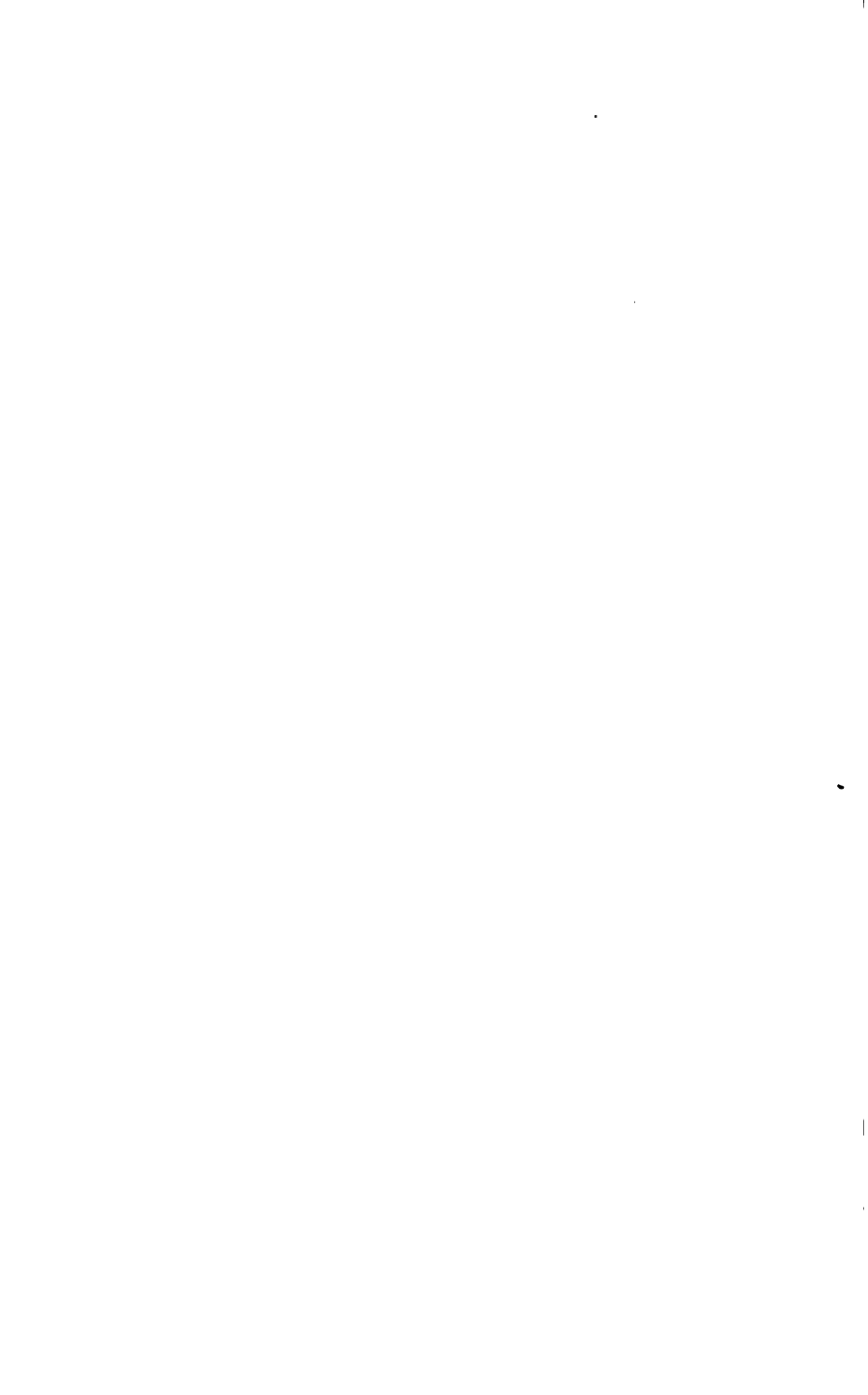
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L A W S

OF THE

Commonwealth of Pennsylvania,

FROM

THE SECOND DAY OF DECEMBER, ONE THOUSAND EIGHT
HUNDRED AND SIX,

TO

*THE TWENTY-EIGHTH DAY OF MARCH, ONE THOUSAND
EIGHT HUNDRED AND EIGHT, BOTH DAYS
INCLUSIVE.*

**Published under the Authority of the Legislature,
BY THOMAS M'KEAN THOMPSON.**

VOL. VIII.

PHILADELPHIA :

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1808.

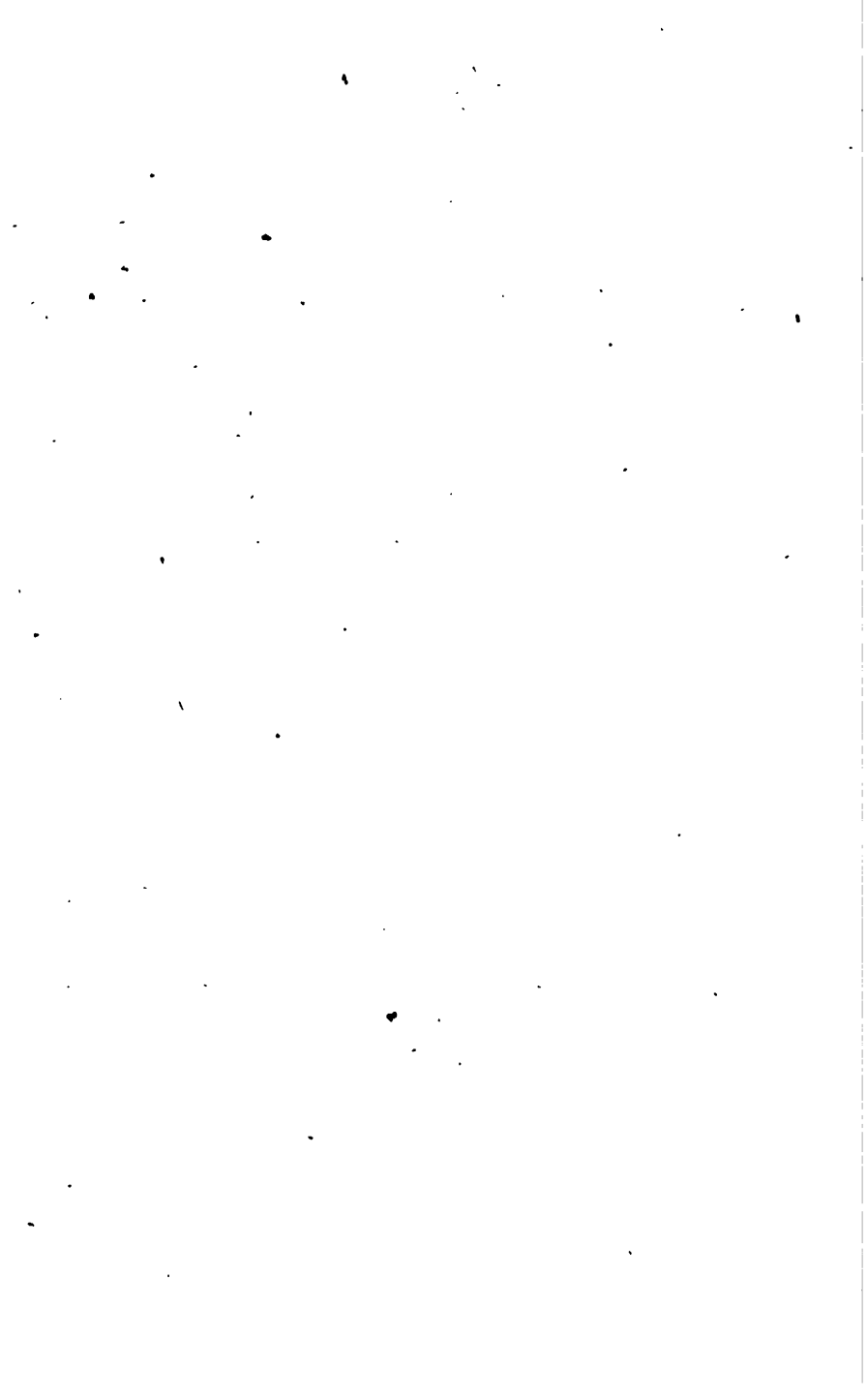
I Certify, THAT in obedience to the direction of an Act of the General Assembly of the Commonwealth of Pennsylvania, I have collated with, and corrected by the original rolls, the proof sheets of the printed copies of this edition of the Laws and Resolutions of the General Assembly, passed during their last session.

T. M. THOMPSON,
Secretary of the Commonwealth

*Secretary's Office, at
Lancaster, July 27th, 1807. }*

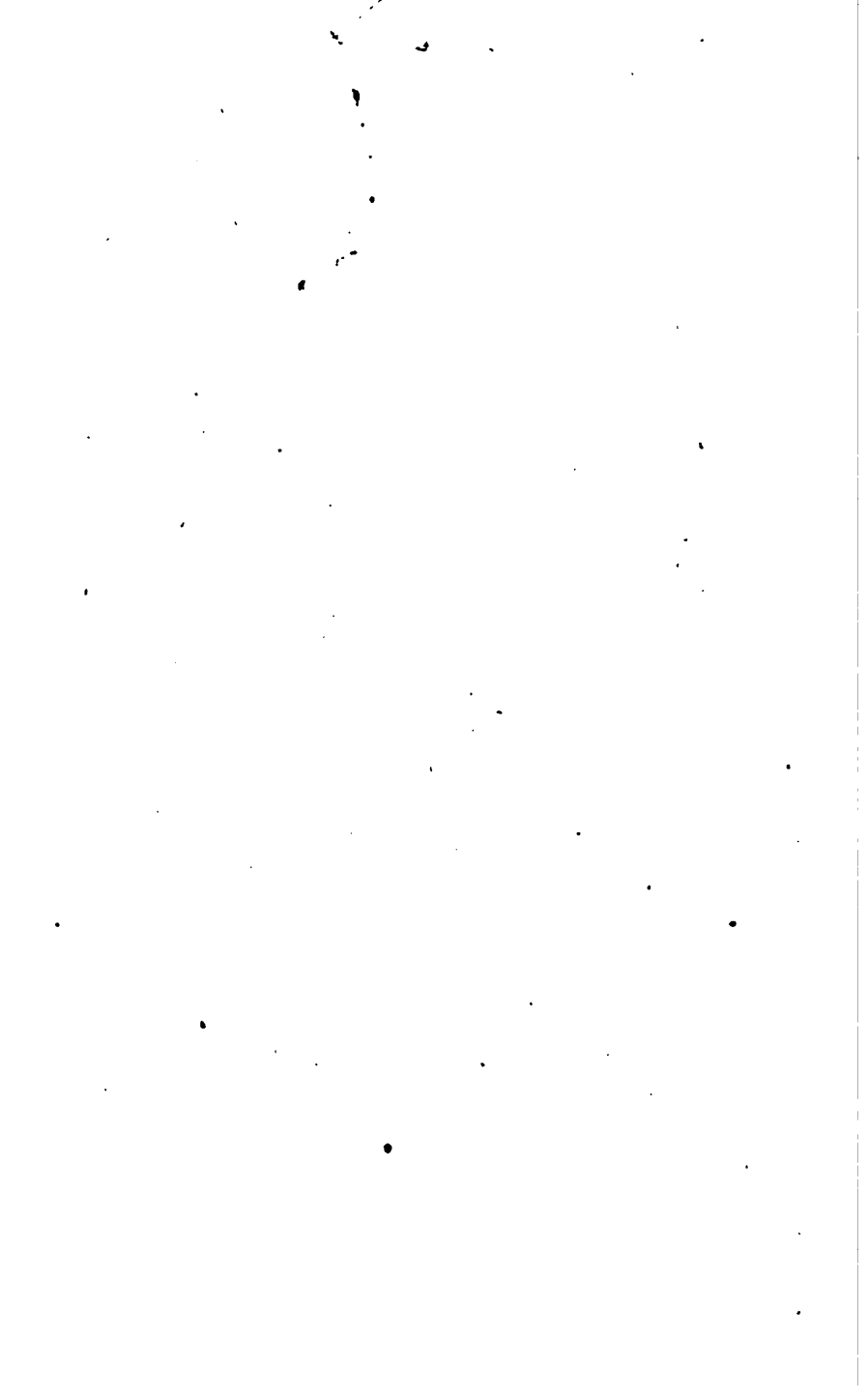
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PREFACE.

THIS volume comprises the *Laws and Resolutions* passed during two sessions of the Legislature, from December 2d, 1806, until March 28th, 1808, inclusive.....In printing the acts of the second session, an error (not discovered in time to be corrected,) occurred in the paging. The paging instead of having reference to, and being in continuation of the laws of the first session, begins with number one. To obviate the embarrassment arising out of this circumstance, in relation to the index, and render it intelligible, the reader will please to observe, that such reference in the index, having an asterisk (*) affixed to it, is intended to direct to a page of the laws passed during the second session.



ACTS

OF THE

GENERAL ASSEMBLY

OF THE

Commonwealth of Pennsylvania,

PASSED

AT

A SESSION, WHICH WAS BEGUN AND HELD

AT THE

BOROUGH OF LANCASTER,

ON TUESDAY THE SECOND DAY OF DECEMBER, IN THE
YEAR OF OUR LORD, ONE THOUSAND EIGHT
HUNDRED AND SIX,

AND OF THE

INDEPENDENCE OF THE UNITED STATES OF AMERICA,
THE THIRTY-FIRST.

PUBLISHED BY AUTHORITY.

PHILADELPHIA:

PRINTED BY JOHN BIOREN, No 88, CHESNUT STREET.

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1807.

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**T. M. THOMPSON,**  
*Secretary of the Commonwealth.*

*Secretary's Office, at  
Lancaster, July 27th, 1807.* }

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- 1. Authorizing the printing of six hundred copies of the Journals of the General Assembly, additional, . . . . .
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- 3. Directing the distribution of the seventh volume of the laws of Pennsylvania; printed by Bioren, . . . . .
- 4. Requiring the Surveyor-general, on application, to furnish certified copies of drafts of depreciation and donation lands, for the commissioners of the counties in which they lie. . . . .
- 5. Relative to the importation of slaves, . . . . .
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- 8. Directing the Secretary to furnish each member of the Legislature, with a copy of the laws of the present session, through the respective prothonotaries, . . . . .
- 9. Directing the Governor, to transmit to the President of the United States, a copy of the act, authorizing a turnpike through that part of this State, between Cumberland and the Ohio river, . . . . .
- 10. Respecting the illegal exactions practised at the ports of Natchez and New-Orleans, on the road passing down the Mississippi, . . . . .
- 11. Directing the printing of a sufficient number of copies of the militia law, of the present session, . . . . .

# ACTS

OF THE

## GENERAL ASSEMBLY

OF

### PENNSYLVANIA.

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#### CHAPTER I.

*An ACT to encourage the killing of Panthers.*

SECTION I. **BE** it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, a reward of Premium allowed for killing panthers. eight dollars for killing every full grown panther, and four dollars for killing every panther whelp, within any county of this commonwealth, shall be allowed to every person killing such panther or panthers; to be recovered and paid agreeably to the provisions of an act, entitled "An act to encourage the killing of wolves," passed the tenth day of March, anno Domini one thousand eight hundred and six; on proof of the facts according to the directions of the said act.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twelfth day of January, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

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#### CHAPTER II.

*An ACT for the relief of John Hart.*

**WHEREAS** it has been represented to the Legislature, that a certain William Williams of the county of Montgome-

B

ry, did by his deed, duly executed, bearing date the twenty-sixth of July, one thousand eight hundred and four, grant and convey unto a certain Michael Barron of the same place, a lot of land with the appurtenances, situate in the township of Plymouth and county aforesaid ; and that the said Michael Barron by his deed duly executed, bearing date the twenty-sixth day of April, anno Domini one thousand eight hundred and five, did grant and confirm unto John Hart, of the township of Plymouth aforesaid, ten acres and sixty-two perches of land, with the appurtenances, being a part of the land and premises conveyed to the said Michael Barron by William Williams as aforesaid: And whereas it since has been discovered by the said John Hart, that the said Michael Barron was and still is an alien, and not competent to hold or convey real estate, under the laws of this commonwealth : And whereas it appears to the Legislature, that the said John Hart has paid a valuable consideration for the aforesaid lot of ten acres and sixty-two perches of land : Therefore,

Confirming  
the title of  
John Hart to  
a lot of  
ground in  
Montgomery  
county.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the deed of conveyance made and executed to John Hart, of the township of Plymouth, and county of Montgomery, by Michael Barron of the same place, dated the twenty-sixth day of April, anno Domini one thousand eight hundred and five, recorded at Norristown, in Deed-book number twenty, page three hundred and seventy-six, &c. for a certain lot of land, containing ten acres and sixty-two perches, with the appurtenances, situate in the township of Plymouth aforesaid, on the south-west side of the Germantown and Perkiomen turnpike road, be and the same is hereby declared to be as valid in law, to all intents and purposes as if the said Michael Barron had been a citizen of the United States, at the time of executing the deed of conveyance aforesaid: *Provided always,* That nothing herein contained shall be construed to bar or defeat any person or persons, bodies politic or corporate, of any right, title, interest, claim or demand which they may have in or to the said lot or piece of land, or any part or parcel thereof.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twelfth day of January, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER III.

*An ACT to enable Nicholas Swope, administrator of Joseph Devoss, deceased, to convey a part of a tract of land to Jacob Hough, assignee of John Devoss.*

**WHEREAS** Joseph and John Devoss as tenants in common, were seized and possessed of an undivided interest of and in a certain tract of land in East Huntingdon township, Westmoreland county, containing three hundred and seventy-one acres and allowance ; but the legal title thereof, being vested in Joseph Devoss, a division thereof was made at the instance of the said Joseph and John Devoss, and it was agreed between them, that the said Joseph Devoss should execute a conveyance to the said John Devoss, for one hundred and eighty-four acres for his equal share and interest therein, as soon as a title from the commonwealth of Pennsylvania should be completed thereto ; but before the same could be effected, agreeably to the intention of the parties, Joseph Devoss died intestate, and John Devoss having sold his interest to a certain Jacob Hough, and the existing laws not giving authority to the courts under such circumstances, to order or direct the administrator of Joseph Devoss to complete the title therefor, all which premises have satisfactorily appeared to the legislature : Therefore,

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Nicholas

Swope, administrator of Joseph Devoss, deceased, shall be and he is hereby authorized and required to make and execute a deed of conveyance in fee simple, to Jacob Hough the assignee of John Devoss, for one hundred and eighty-four acres and allowance, situate, lying and being in East Huntingdon township, Westmoreland county, being that part of a certain whole tract of land, containing three hundred and seventy-one acres and allowance, surveyed for Joseph and John Devoss, agreeably to a division thereof made by Benjamin Lodge, late deputy surveyor of Westmoreland county, in the presence and at the instance of the said Joseph and John Devoss, in the life-time of the said Joseph Devoss, which deed of conveyance shall vest the right, title, estate and interest of the said one hundred and eighty-four acres and allowance of land, as fully and effectually in the said Jacob Hough, in fee simple, as if the said Joseph Devoss had conveyed the same in his life-time to the said Jacob

The administrator of Joseph Devoss, deceased, enabled to convey in fee simple, a certain parcel of land, situate in Westmoreland county, to Jacob Hough.

Hough, agreeably to the interest and estate which the said Joseph Devoss had and held in the same.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twelfth day of January, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

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## CHAPTER IV.

*An ACT to enable Peter W. Gallaudet of the State of Connecticut, to sell and convey one Moiety of a certain Plantation, Messuage and Lot of Ground therein described.*

**W**HEREAS, Pelatiah Webster, late of the city of Philadelphia, deceased, was in his life time seized of and entitled to a certain plantation, messuage and lot of ground, situate on the river Schuylkill, in the township of Passyunk in the county of Philadelphia, containing in the whole about twenty-four acres of land, and the said Pelatiah being so seized, did, by his last will and testament, devise the same to his two grand daughters, Maria Perit and Rebecca Hunt Perit in fee, in equal moieties : And whereas the said Rebecca Hunt Perit, a minor under the age of sixteen, resides in the state of Connecticut, and the said property is unproductive for the want of necessary repairs, which the personal estate of the said Rebecca is incompetent to make, and her guardian, Peter W. Gallaudet, of Connecticut, hath presented, his petition to the legislature, praying that an act might be passed authorizing him to sell and convey the moiety belonging to the said minor, of, and in the plantation, messuage and lot aforesaid : And whereas, on investigation it appears manifestly for the interest of the said minor, that the prayer of the said petitioner should be granted: Therefore,

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the said Peter W. Gallaudet, to sell all the right, title and estate of the said Rebecca Hunt Perit, of, in and to the undivided moiety of the plantation, messuage and lot of ground aforesaid, as the same is herein before described, or however else the same ought to be described, either by public or private sale, for the best price that can be obtained for the same, and to do all acts necessary for carrying into effect*

The guardian of Rebecca H. Perit, enabled to sell and convey her estate in a certain undivided messuage and parcel of 1, situate in Philadelphia county.

the powers given by this act, as fully and effectually as the said minor could do, were she of full age and personally acting in the business : *Provided*, that the said Peter W. Gallaudet, before he proceeds to sell and convey the same, shall give bond with sufficient surety to be approved by the judges of the orphans court, for the due and faithful performance of his trust in this behalf, and for the application of the purchase money within six months after the receipt of the same to the purchase of funded debt of the United States, or bank stock, to stand in the said minor's name, and to be for her use, which bond shall be filed in the office of the clerk of the orphan's court for the county of Philadelphia.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twelfth day of January, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

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## CHAPTER V.

*An ACT authorizing the Commissioners of Indiana County, to levy and collect County Taxes in the County of Jefferson.*

**WHEREAS**, the commissioners of Westmoreland county have omitted in the last triennial assessment to assess county taxes on the county of Jefferson, in consequence of which omission, it is impossible by the existing laws, for the commissioners now elected for Indiana county, to make such assessment until the next triennial assessment : Therefore,

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passing of this act, the commissioners of Indiana county, be, and they are hereby authorized to levy and cause to be collected county taxes for the county of Jefferson, for the years, eighteen hundred and seven, and eighteen hundred and eight, in the same manner and subject to the same regulations as the commissioners of other counties within this commonwealth are by law authorized to do, which proceedings shall have the like effect in law, as if the last triennial assessment had been duly made in the county of Jefferson aforesaid, at the time heretofore appointed by law, for that purpose.

**SECT. II.** *And be it further enacted by the authority aforesaid,*

Commission-  
ers of Indiana  
county au-  
thorized to le-  
vy taxes with-  
in the county  
of Jefferson,  
for the years  
1807 & 1808.

Of the appointment of assessors with in the county of Jefferson, their powers, &c.

That in case the inhabitants of any of the townships in the said county of Jefferson have neglected, or may hereafter neglect to elect assessors or assistant assessors, the commissioners of Indiana county aforesaid are hereby authorized and required to appoint the same, and the said assessor and assistants shall have full power and authority, and are hereby enjoined and required upon receipt of a precept or precepts, which shall be issued and directed to them by the commissioners of Indiana county, to proceed to take an account of all the taxable inhabitants within their respective townships or districts, and of all and every the articles, matters and things made taxable, and to value the same in the same manner and upon the same principles as is provided by the eighth section of the act to raise county rates and levies, passed April the eleventh, seventeen hundred and ninety-nine, and shall be subject to the like penalty for neglects, as is provided by the said act in other cases, which valuation shall be as effectual in law, to all intents and purposes as if the same had been duly made at the stated triennial assessment directed by law.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twelfth day of January, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER VI.

*A SUPPLEMENT to the act, entitled "An act to alter the Judiciary System of this Commonwealth," and to alter the time of holding the Courts of Common Pleas and Quarter Sessions, and Orphans Court in the County of Washington.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases which were depending in the high court of errors and appeals at the term of July, one thousand eight hundred and five, and which since may have been abated, or hereafter may abate by the death of all or any of the plaintiffs in the said suits, the surviving plaintiff or plaintiffs, or the representatives of such deceased plaintiff or plaintiffs, may take out a new writ of error, returnable to the said court, any thing in the act to which this is a supplement notwithstanding, and the judges composing the said court are hereby required to cause errors to be assigned and issue to be joined thereon, and the like proceedings to be had thereon as though the said writ of error had not abated,

In certain cases, in the court of errors and appeals where abatement have or shall happen by the death of Plaintiffs, the surviving Plaintiffs, or their representatives enabled to take out writs of error, &c.

SECT. II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for the judges of the said high court of errors and appeals, to hold one term more, if the same shall be necessary, in addition to the two terms directed to be holden by them, by the act to which this is a supplement, for the determination of all causes which were before them at the passing of the said act, or which may be brought before them by virtue of this act.

Judges of said court authorized to hold an additional term, if necessary.

SECT. III. *And be it further enacted by the authority aforesaid,* That in order to expedite the determination of the said causes within the time aforesaid, the presiding judges in each and every district or circuit of the courts of common pleas within this commonwealth, shall be judges of the high court of errors and appeals, and they are hereby invested with the same rights and powers, and required to perform the like duties as those invested in, and required of the presidents of the five circuits or districts of this commonwealth, in, and by the act, entitled "An act to establish the judicial courts of this commonwealth, in conformity with the alterations and amendments in the constitution," passed the thirteenth day of April, one thousand seven hundred and seventy-one.

The Presidents of the courts of Common Pleas, in all the districts, constituted Judges of the high court of errors and appeals.

SECT. IV. *And be it further enacted by the authority aforesaid,* That any writ of certiorari issued since the passing of the act to which this is a supplement, for the removal of any cause to the supreme or circuit courts, on or before the first day of the next term after the original process therein shall have been returnable, shall be deemed to have legally issued; and from and after the passing of this act, it shall be lawful to issue writs of certiorari, to remove causes to the supreme or circuit courts at any time during the next term after the writ or process therein shall have been returnable, subject nevertheless to all other restrictions contained in the twentieth section of the said act.

Of issuing writs of Certiorari for the removal of causes to the Supreme or circuit courts.

SECT. V. Whereas, inconveniences have arisen in the county of Washington, from the courts of common pleas in that county, being held at the same time that the supreme court is held in Pittsburg in the county adjoining: Therefore, *Be it further enacted by the authority aforesaid,* That from and after the next April term, the courts of common pleas, quarter sessions of the peace and orphans court for the county of Washington, shall be held on the week preceding the courts in the county of Beaver.

Alteration of the time of holding the courts of Common Pleas, &c. in the county of Washington.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twelfth day of January, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.



[ 10 ]  
CHAPTER VII.

*An act SUPPLEMENTARY to an act, entitled "An act directing the sale of certain town lots in the town of Beaver, and other lands adjacent thereto.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That John Lawrence of Beaver town, Samuel Wilson and David Potter of Beaver county, commissioners appointed by law to sell certain town lots in the town of Beaver, and other land adjacent thereto be and they are hereby authorized to sue for and recover in the name of the commonwealth, the first moiety of the purchase money for the lots and land aforesaid, under the act to which this is a supplement; and upon recovery thereof, and on receipt of the debt and costs to enter satisfaction upon the record thereof.*

The commissioners for the sale of lots in the town of Beaver authorized to sue for the purchase money, &c.

SIMON SNYDER, *Speaker*  
*of the House of Representatives:*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twelfth day of January, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

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CHAPTER VIII.

*An ACT for the relief of James Oglivia.*

WHEREAS it has been represented to the Legislature that James Oglivia, of the county of Montgomery, at the commencement of the revolutionary war, served several tours of duty in the militia, that on the fifth of October, one thousand seven hundred and seventy-eight, he enlisted in Captain Christie's company of the fifth Pennsylvania regiment commanded by Colonel Francis Johnston and continued therein until the year one thousand seven hundred and eighty, he was then put into the second battalion of Pennsylvania troops commanded by Colonel Richard Butler, that the term of his enlistment expired on the fifth of October, one thousand seven hundred and eighty-one, but did not ask his discharge until after he saw the capture of Cornwallis at York town, in Virginia, that he then on the fifth of November, received his discharge, that he has now become infirm by age and by accident, and destitute of support: Therefore for the relief of a very meritorious soldier,

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of sixty dollars be, and the same is hereby granted to James Oglivia, to be paid to him or his lawful attorney immediately after the passing of this act, on a warrant drawn by the Governor on the state-treasurer; and that an annuity of fifty dollars be granted for the use of James Oglivia, to be paid to Nathaniel B. Boileau, his executor or executors, or his or their lawful attorney, to commence from the first day of January, one thousand eight hundred and seven, and paid half-yearly to the said Nathaniel B. Boileau, or his executor or executors, or his or their lawful attorney, on warrants to be drawn by the Governor on the state-treasurer, which annuity shall be expended by the said Nathaniel B. Boileau, his executor or executors, in providing clothing and diet for the said James Oglivia; and it shall and hereby is made the duty of the said Nathaniel B. Boileau, his executor or executors, to make an annual return to the orphans court of Montgomery county, on oath or affirmation, how and in what manner he or they have executed the trust in him or them confided by this act.

An annuity  
of fifty dollars  
granted to  
James Ogliv-  
via.

**SIMON SNYDER,** *Speaker  
of the House of Representatives.*

**P. C. LANE,** *Speaker of the Senate.*

**APPROVED**—January the twenty-sixth, in the year of our Lord,  
one thousand eight hundred and seven.

**THOMAS M'KEAN.**

## CHAPTER IX.

*An ACT to authorize Jonathan Hill and Elizabeth Thatcher, ex-  
ecutors to the estate of Daniel Hill, deceased, to convey a certain piece  
of land therein mentioned.*

**WHEREAS** it has been represented to the legislature,  
that a certain Daniel Hill of the county of Beaver, now  
deceased, did in his life-time, covenant with a certain Thomas  
Williams, to convey and assure to him in fee simple, fifty acres of  
land, particularly described and set forth in the agreement there-  
of, by metes and bounds, and that since the decease of the said  
Daniel Hill, it has been fully ascertained that the said described  
fifty acres of land, are not included within the bounds or limits  
of the real estate of the said Daniel Hill, but are the property

of another person ; by reason whereof, the said contract cannot be carried into effect ; and it is further represented that the said Thomas Williams is willing to accept of other fifty acres of land, part of the real estate of the said deceased, in discharge of the said covenant and agreement, and has agreed with the acting executors of the said Daniel Hill, to discharge the estate of the said Daniel Hill from any further liability by reason of such covenant, provided they may be enabled by law to execute a conveyance for such other fifty acres of land ; and that it will be manifestly to the interest of the said estate, that the said latter agreement should be carried into effect ; all which premises have satisfactorily appeared : Therefore,

The executors  
of Daniel Hill,  
authorized to  
convey to  
Thomas Wil-  
liams fifty  
acres of land  
in discharge  
of a contract  
made by the  
testator.

SECTION I *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Jonathan Hill and Elizabeth Thatchner, acting executors of the estate of Daniel Hill, deceased, shall be, and they are hereby authorized, to execute a sufficient deed in fee simple, to Thomas Williams, for fifty acres of land, part of the real estate of the said Daniel Hill, deceased, in lieu of other fifty acres of land, agreed to be conveyed to the said Thomas Williams, by the said Daniel Hill, in the life-time of the said Daniel Hill, in such manner as has been agreed upon between the said parties, and as shall be most advantageous to the estate of the said Daniel Hill, which said deed shall be as effectual to convey the estate, right, interest, property and possession of in and to the said land, as if the said Daniel Hill in his life-time had conveyed the same to the said Thomas Williams in fee simple, and which deed shall be taken to be in full satisfaction and discharge of the covenant and agreement of the said Daniel Hill, with the said Thomas Williams, to all intents and purposes, and in lieu thereof.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—January the twenty-sixth, in the year of our Lord,  
one thousand eight hundred and seven.

THOMAS M'KEAN.

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## CHAPTER X.

*An ACT to enable the administrators of the estate of James Carmichael, deceased, to complete the title to certain lands sold by their intestate by certain articles of agreement.*

**W**HEREAS it has been represented to the legislature, that James Carmichael, late of the county of Greene, deceased,

in his life-time did procure from the Land Office of this commonwealth, a warrant for certain lands then in Washington, but now in the county of Greene, which warrant issued in the name of his brother-in-law Francis Seaton; but the purchase money thereof was paid by the said James Carmichael; and by reason thereof, the said Francis Seaton became the trustee of the said James Carmichael; that the said James Carmichael being seized of the equitable estate in fee simple of the land surveyed in pursuance of the said warrant did by certain articles of agreement, sell to divers individuals certain parts thereof as farms, including water works and other parts thereof, as town and out lots, of a village called Lisburn, or Carmichaelstown, and died intestate, not having completed the titles to the said vendees, in pursuance of the said articles: And it is further represented, that the said Francis Seaton, after the death of the said James Carmichael, in discharge of the trust vested in him, did convey the said warrant and lands thereon surveyed, to William S. Carmichael and Margaret Eskridge Carmichael, children of the said James Carmichael, to whom the said land has been patented; by reason whereof, the said William and Margaret have become the trustees of the purchasers from the said James Carmichael, under the said articles, for such parts of the said lands as were agreed to be conveyed to them respectively; but by reason of the minority of the said William and Margaret, they are unable to execute the trusts so vested in them, all which premises have manifestly appeared to the legislature: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Hyde and Betty Carmichael (now Betty Thompson) administrators to the estate of James Carmichael of Greene county, deceased, or the survivor of them; be, and they hereby are authorized and required to convey any or all of the said lands and tenements of him the said James Carmichael, to any person or persons to whom in his life-time by contract in writing, or other written evidence of contract he shall have covenanted, agreed, promised or bound himself to convey, or to any person whom he, she or they may represent, which contracts shall not have been complied with in the life-time of the said James Carmichael; and for the performance of which no sufficient provision was made by him: *Provided always,* That no deed to be executed in pursuance of this act, shall discharge the lands and tenements intended to be thereby conveyed from the lien of the consideration money thereof, until it shall have been actually paid according to the terms of the contract; and the same deeds being so made and executed, proved, acknowledged and recorded according to law, shall be of the same force and effect, to pass and vest the

The administrators of James Carmichael, deceased, or the survivor of them authorized to convey certain lands and tenements in discharge of certain contracts for the sale thereof, made by intestate in his life time.

estate of, in and to the lands and tenements aforesaid, with the appurtenances in the purchaser or purchasers thereof, as if the same had been executed and acknowledged to him or them by James Carmichael in his life-time.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—January the twenty-sixth, in the year of our Lord,  
one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XI.

*An ACT further extending the act entitled "An act for the relief of divers inhabitants of the county of Adams."*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*  
That the provisions of the act, entitled "An act for the relief of divers inhabitants of the county of Adams" passed the twelfth day of March, one thousand eight hundred and two, be and the same is hereby extended, and to continue in force until the first day of March one thousand eight hundred and nine.

The original  
act continued  
in force until  
the first of  
March 1809.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—January the twenty-sixth, in the year of our Lord,  
one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XII.

*A SUPPLEMENT to the act, entitled "An act to provide for the erection of a House for the employment and support of the Poor in Montgomery county."*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*  
That Joseph Tyson, Andrew Todd, Andrew Morgan, Joseph Price, Matthew Brooke, Christian Sheide, and Philip Gauble,

being the citizens elected at the last general election held in the county of Montgomery, for the purpose of fixing upon a suitable site for the erection of buildings for the accommodation of the poor of the said county, and to contract for land whereon to erect the same, be and they or a majority of them are hereby authorized and required to proceed in the duties enjoined on persons to be elected for the purposes aforesaid, by the act to which this is a supplement, any thing in the said act to the contrary notwithstanding.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—January the twenty-sixth, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XI II.

**AN ACT** to authorize the Governor to incorporate a company for making an artificial road by the nearest and best route, through the counties of Wayne and Luzerne, beginning at the river Delaware where the proposed bridge is to be built near the town of Milford, thence through the said town and the counties aforesaid to or near to the forty-third mile stone, in the north line of the State.

**SECTION I.** *BE* it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That John Shee, Abraham Bickley, William Phillips and Tench Foxe of the city of Philadelphia, John Brink, John Brodhead, James Barton, John Biddis, Lewis Collins, Asa Stanton, and John H. Schank of the county of Wayne, and Isaac Brownson, and Thomas Parke of the county of Luzerne, be, and they hereby are appointed commissioners to do and perform the several things herein after mentioned, that is to say, they shall on or before the first Monday in June next, procure three books, and in each of them enter as follows, "We whose names are hereunto subscribed, do promise to pay to the president, managers and company of the Milford and Owego turnpike road, the sum of twenty-five dollars for every share of stock in said company, set opposite our respective names, in such manner and proportions and at such times as shall be determined by the president and managers of the said company, in pursuance of an act of the General Assembly of this commonwealth, entitled "An

Commissioners appointed to open books and receive subscriptions to the Milford and Owego turnpike road.

Form of subscription.

act authorizing the Governor to incorporate a company for making an artificial road by the nearest and best route through counties of Wayne and Luzerne, beginning at the river Delaware, where the proposed bridge is to be built, near the town of Milford, thence through the said town and the counties aforesaid to or near to the forty-third mile stone in the north line of the state." Witness our hands, the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_

Notice to be given of the times and places of subscription.

Whomay subscribe, &c.

Commissioners may adjourn from time to time, until 2,000 shares are subscribed.

Subscribers to pay a deposit of five dollars, for each share subscribed.

When a certain number of shares are subscribed Commission-

of our Lord, one thousand eight hundred and seven;" and shall thereupon give notice in two of the public papers printed in the city of Philadelphia, and in one or more of the public papers printed nearest the route of the said road for one calendar month at least, of the times and places when and where the said books shall be kept open to receive subscriptions for the stock of the said company, at which respective times and places some two of the said commissioners shall attend, and shall permit and suffer all persons of lawful age who shall offer to subscribe in the said books, in their own names or in the name or names of any other persons who shall duly authorize the same, for any number of shares in the said stock; and the said books shall be kept open respectively for the purpose aforesaid at least six hours in every juridical day, for the space of six days, or until the said books opened at Philadelphia shall have eight hundred shares therein subscribed, the said book opened at Milford, six hundred shares therein subscribed, and the said book opened at the house of Isaac Brownson at Rush, six hundred shares therein subscribed; and if at the expiration of the said six days the books aforesaid or any of them shall not have the respective number of shares aforesaid, therein subscribed, the said commissioners respectively may adjourn from time to time and transfer the said books from place to place aforesaid or elsewhere, until the whole number of shares shall be subscribed, of which adjournments and transfers the commissioners aforesaid shall give such public notice as the occasion may require; and when the whole number of shares subscribed in all the said books shall amount to two thousand shares the same shall be closed: *Provided always*, that every person offering to subscribe in the said books in his own or another name, shall previously pay to the attending commissioner the sum of five dollars for every share to be subscribed, out of which shall be defrayed the expences attending the taking up of subscriptions and other incidental charges, and the remainder shall be paid over to the treasurer of the corporation as soon as the same shall be organized and the officers chosen as hereafter mentioned.

SECT. II. *And be it further enacted by the authority aforesaid* That when fifty persons or more shall have subscribed one thousand shares of the said stock, the said commissioners shall certify under their hands and seals the names of the subscribers a

the number of shares subscribed by each to the Governor, and thereupon it shall and may be lawful for the Governor by letters patent under his hand and the seal of the state to create and name the subscribers; and if the said subscriptions be not full at the time, then also those who shall afterwards subscribe to the number aforesaid, into one body politic and corporate in deed and in law, by the name, style and title of "The president managers and company of the Milford and Owego turnpike road," and by the said name the said subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding their said capital stock, and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing, taking and holding to them and their successors and assigns; and of selling and conveying in fee simple or in any less estate all such lands, tenements, hereditaments and estates, real and personal, as shall be necessary to them in the prosecution of their works, and of suing and being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do.

are to certify to the Governor, who may thereupon incorporate them.

Style of the corporation.

Its privileges and immunities.

SECT. III. *And be it further enacted by the authority aforesaid,* That the commissioners aforesaid, as soon as conveniently may be after the said letters patent shall be sealed and obtained, shall give notice in two of the public papers in Philadelphia, and also in such other papers nearest said route as they may think proper, at a time and place by them to be appointed, not less than twenty days from the publication of the first notice, at which time and place the subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes of the said subscribers by ballot to be delivered in person or by proxy duly authorized, one president and twelve managers, one treasurer, and such other officers as they shall think necessary to conduct the business of the said company for one year, and until such other officers shall be chosen, and shall and may make such by-laws, rules, orders and regulations not inconsistent with the constitution and laws of this commonwealth as shall be necessary for the well ordering of the affairs of the said company, and generally to have like powers, authorities and privileges necessary for carrying on and completing the said turnpike road, and be subject to all the duties, qualifications, restrictions, penalties, fines and forfeitures, and be entitled to like tolls and profits as is given and granted to the president, managers and company of the Cohocton and Great Bend turnpike road, in and by an act passed the twenty-ninth day of March, one thousand eight hundred and four.

Commissioners to notify the subscribers to meet and organize the corporation.

Officers to be chosen.

Of the by-laws.

To be entitled to like tolls and profits as are granted to the Cohocton and Great Bend turnpike company.

SECT. IV. *And be it further enacted by the authority aforesaid,*



Compensation  
to be made to  
persons in-  
jured by rea-  
son of the road  
passing  
through their  
lands.

That if the said road be laid out and opened through the land of any person, whereby he, she or they shall sustain damage, the said company shall make amends to such person or persons the same, to be agreed upon between them if they can agree, or if they cannot agree, to be ascertained by appraisement, to be made on oath or affirmation by three disinterested freeholders, any two of them agreeing, mutually to be chosen, or if the owners upon due notice shall neglect or refuse to join in the choice, then to be appointed by any justice of the peace of either of the counties of Wayne or Luzerne not interested therein: *Provided always*, that appraisers aforesaid shall have regard in appraising damages to the advantages derived from such road passing through the lands of the complainant.

SIMON SNYDER, *Speaker*  
of the House of Representatives

P. C. LANE, *Speaker of the Senate*

APPROVED—January the twenty-sixth, in the year of our Lord one thousand eight hundred and seven.

THOMAS M'KEAN

#### CHAPTER XIV.

*An ACT to afford immediate relief to Dennis M'Knight, a soldier during the revolutionary war, and to grant him an annuity.*

IT is honourable to the government of a free people to compensate those who have faithfully served it in trying times and to provide for the necessities of men who have assisted the late glorious revolution, and have been disabled by wounds received in defence of their country's rights: And as it manifestly appears to the legislature that Dennis M'Knight, a soldier of the eighth battalion of militia of Chester county, was so wounded in battle, and having been taken prisoner suffered long and grievous captivity, that he is now very far advanced in years, and from the combined effects of age and sufferings is no longer able to maintain himself by labour: Therefore, in discharge of a most grateful duty,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Governor be and he is hereby authorized to draw his warrant on the state-treasurer in favour of Dennis M'Knight for the sum of eighty dollars, which shall be paid out of any unappropriated monies in the treasury, and that an annuity of forty dollars

A grant of  
eighty dollars  
made to Den-  
nis M'Knight  
and an annu-  
ity of forty  
dollars

granted for the use of Dennis M-Knight, to be paid to Alexander Ogle, or his executor or executors, administrator or administrators, or his or their lawful attorney, to commence from the first day of January, anno Domini, one thousand eight hundred and seven, and to be paid half-yearly to the said Alexander Ogle, or his executor or executors, administrator or administrators, or to his or their lawful attorney, on warrants to be drawn by the Governor on the state-treasurer, which annuity shall be expended by the said Alexander Ogle, his executor or executors, administrator or administrators, or his or their attorney in providing clothing, diet and lodging for the said Dennis M-Knight; and it shall and hereby is made the duty of the said Alexander Ogle, his executor or executors, administrator or administrators, or his or their attorney, to make an annual return to the orphans court of Somerset county on oath or affirmation how and in what manner he or they have executed the trust in him or them confided by this act.

SIMON SNYDER, *Speaker*  
of the House of Representatives:

P. C. LANE, *Speaker of the Senate.*

APPROVED—January the twenty-sixth, in the year of our Lord,  
one thousand eight hundred and seven.

THOMAS M'KEAN.

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## CHAPTER XV.

An ACT to establish a public Ferry on the west side of the river Susquehanna, about eight miles above the mouth of Juniata river, in Cumberland county, and to vest the right thereof in Mary Clark, her heirs and assigns.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That Mary Clark, her heirs and assigns, shall have the right, at her or their own costs, to make a good and convenient landing on the west side of the Susquehanna river, on the estate of the said Mary, and in the great road leading from Harrisburgh by Morehead's (late Lytle's) ferry, through Selins-grove to the ferry opposite Sunbury in the county of Northumberland; and the owner or occupier shall keep the same in good order and repair, fit for men, horses, and carriages to pass; and the said owner or occupier shall keep a good substantial boat or boats, and careful ferrymen who shall constantly, as occasion may re-*

Mary Clark  
authorized to  
establish a  
ferry over the  
Susquehanna;

Provided she  
do not tres-  
pass on the  
lands of  
others.

quire, attend for the purpose of transporting travellers and others over the said river, and for services rendered shall receive such price as is customarily paid at other ferries on said river; and the said ferry shall moreover be subject to such rates and regulations as the court of Quarter Sessions of the county of Cumberland may order and direct: *Provided always*, That nothing in this act contained, shall be construed so as to vest the said Mary, or her legal representatives, with a right to receive or discharge any travellers, carriages or other loading, on land belonging to any other person, without the consent of the owner.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—January the twenty-sixth, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XVI.

*An ACT to organize the provisional county of Cambria.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the first Monday in November next, the inhabitants of Cambria county shall enjoy all and singular, the jurisdiction, powers, rights, liberties and privileges within the same, which the inhabitants of other counties in this State do enjoy by the constitution and laws of this commonwealth.

Cambria  
county to en-  
joy similar  
powers and  
rights with  
other coun-  
ties.

Of the trans-  
ferring of  
suits, pending  
in the courts  
of Somerset  
county, to the  
courts of  
Cambria  
county.

Duties enjoined  
on the pro-  
thonotary of  
Somerset

SECT. II. *And be it further enacted by the authority aforesaid*, That actions of trespass and ejectment for the trial of titles to land actions of trespass *quare clausum fregit* for entry into any lands or tenements within the county of Cambria, which shall at the time of passing of this act, or before the first Monday in November next, have been commenced in the court of common pleas or circuit court of Somerset county, and which shall on the said first Monday of November next be still pending and undetermined, shall be transferred to the court of common pleas and circuit court of Cambria county, there to be proceeded on to trial and determination according to law, in the same state, and subject to the same rules, as they or any of them were on the said Monday, and the prothonotary of Somerset county shall and he is hereby enjoined within thirty days after the said first Monday of November next, to make out a docket, containing

a statement of all such actions then pending, and undetermined in the said county of Somerset, and shall have the said docket, together with the records, declarations, and other papers respecting all such actions then pending and undetermined as aforesaid, ready to be delivered to the prothonotary of Cambria county, who before he receives the same, shall pay to the prothonotary of Somerset county for every action contained in said docket, the usual fees allowed for similar services, which shall be reimbursed to him by the county of Cambria; and all such actions so pending and undetermined as aforesaid, and transferred as aforesaid by the prothonotary of Somerset county, to the prothonotary of Cambria county, shall be considered as pending in the court of common pleas and circuit court of Cambria county, from and after the first Monday of November next, as if they had been originally commenced in said county; and the prothonotary of Cambria county shall account on the receipt of the costs of all such actions, or any of them, to the prothonotary of Somerset county, for all legal fees incurred in the county of Somerset on such actions or any of them, and no action or suit other than the said actions of trespass and ejectment, or trespass *quare clausum fregit*, now commenced, or which may be commenced in the county of Somerset, before the first Monday of November next, against any person living or residing in Cambria county, shall be stayed, discontinued or effected by this act, or any thing herein contained, but the same may be prosecuted in the same manner as if this act had not been passed.

Fees to be paid him by the prothonotary of Cambria county, and to be reimbursed to him by said county.

Prothonotary of Cambria further to account with the prothonotary of Somerset.

SECT. III. *And be it further enacted by the authority aforesaid,* That the sheriff, coroner and other public officers of Somerset county, shall continue to exercise the duties of their respective offices within the county of Cambria as heretofore, until the first Monday of November next.

Sheriff, &c. of Somerset to act within Cambria until the first Monday of November.

SECT. IV. *And be it further enacted by the authority aforesaid,* That sheriffs, coroners, treasurers, and all such other officers as have heretofore usually given security for the faithful discharge of the duties of their respective offices, who shall be hereafter elected or appointed in the county of Cambria, before they enter on the duties of their offices, shall give sufficient sureties in the like sums, and in the like manner and form, and for the like purposes, uses, and trusts as such officers are obliged to do in the county of Crawford, or for such sums, or in such manner as may hereafter be directed by law.

County officers to give security, &c.

SECT. V. *And be it further enacted by the authority aforesaid,* That all taxes laid, or directed to be laid within the county of Cambria, before the passing of this act, shall be laid, assessed, levied, collected, and recovered in the same manner as if this act had not been passed; and all sums of money due this commonwealth for militia fines in the said county of Cambria,

Of assessing and levying taxes within the county of Cambria.

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SECT. IX. *And be it further enacted by the authority aforesaid,* that the courts of common pleas and quarter sessions of the peace, for the county of Cambria, shall from and after the first Monday of November next, commence and be holden on the six Mondays in March, June, September, and December, and the judges of the supreme court, the president of the tenth district or circuit, and the judges to be appointed in the said county of Cambria, shall have and exercise like powers, jurisdictions and authorities within and over the same, as are or may be warranted to, and exercised by the judges in other counties within this state.

When the county courts are to be holden, &c.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—January the twenty-sixth, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XVII.

An ACT to enable aliens in certain cases to purchase and hold real estate within this commonwealth.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passing of this act, it shall and may be lawful for any alien or aliens, actually resident within this commonwealth, and not being the subject or subjects of some sovereign state or power, which is or shall be at the time or times of such purchase or purchases at war with the United States of America, to purchase lands, tenements and hereditaments within this commonwealth, and to have and to hold the same in fee simple, or for any lesser estate as fully to all intents and purposes as any natural born citizen or citizens may or can do: *Provided always,* that such alien or aliens shall previously to such purchase or purchases, declare his or their intention to become a citizen or citizens of the United States, agreeably to any law of the United States, at that time in force upon that subject: *And provided also,* That no such alien or aliens shall be competent to purchase and hold more than five hundred acres, until he or they shall have actually become a citizen or citizens of the United States.

Alien friends resident within the commonwealth, empowered to purchase and hold real estate;

Provided such aliens have declared their intention to become citizens, agreeably to the act of Congress, &c.

SECT. II. *And be it further enacted by the authority aforesaid,*

Purchasers heretofore made by alien friends resident as aforesaid, having declared their intention to become citizens, agreeably to the act of Congress then in force, declared valid.

That where any alien or aliens resident as aforesaid, may heretofore have purchased any land or other real estate within the commonwealth, after having declared his intention to become citizen, in conformity with an act of congress at that time force upon that subject, the same purchase shall be as valid all intents and purposes, and shall be construed to vest the said land or real estate in the said alien or aliens as fully and absolutely as though the said declaration had been made in conformity to the act of congress, entitled "An act supplemental to and to amend the act entitled "An act to establish an uniform rule of naturalization, and to repeal the act heretofore passed upon that subject," passed the eighteenth day of June one thousand seven hundred and ninety-eight.

Former acts hereby altered—repealed.

SECT. III. *And be it further enacted by the authority aforesaid* That so much of any act heretofore passed upon this subject, is hereby altered or supplied be and the same hereby is repealed.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the tenth, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XVIII.

*An ACT authorizing certain Trustees to sell and convey a plantation or tract of land, in Chester county, being the joint property of Anna-Baptist congregation, in Vincent township, and the congregation of St. Peter's church, in Tredyffrin township.*

WHEREAS it hath been represented to the legislature, the trustees of the Anna-Baptist congregation, in Vincent township, Chester county, and by the wardens of the Episcopal church of St. Peter, in Tredyffrin township, in the county aforesaid, That Daniel Evans, late of the township of West Whitfield, in said county, by his last will and testament, dated the twenty-seventh day of August, seventeen hundred and twenty-five, did give and bequeath unto the said two churches a plantation or tract of land, in the township of West Whitfield aforesaid, whereon he then lived, after the death of his wife Sarah (who is since dead), containing one hundred and fifty-seven acres more or less, the said Anna-Baptist church, to have two-thirds of the rents and profits thereof for ever, towards the support of the ministry of said church; and the said Episco

church of St. Peter, the other third part of the rents and profits, for, and towards the support of the ministry of said church for ever: And as it has been represented by the said trustees and wardens that it would be much more to the interest and advantage of the said congregations, if the legislature would pass a law authorizing them to dispose of the said plantation, and interest the monies arising therefrom in some productive fund, for the use of the said churches: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That as soon as may be after the passing of this act, the elders of the Anna-Baptist congregation in Vincent township, and wardens and vestry of the Episcopal church of St. Peter, in Tredyffrin township, in the county of Chester, shall each of them appoint two persons as trustees, who are hereby authorized and empowered to sell and dispose of the said plantation or tract of land, with its several rights, privileges and appurtenances as soon as the same can be conveniently done, either by public or private sale, for the best and highest price that can be gotten for the same: And to give assurances and conveyances valid in the law, to the purchaser or purchasers, and his or their heirs and assigns for ever, and the monies arising therefrom, to place at interest upon mortgage or other sufficient security, paying or causing to be paid annually, two-thirds of the interest arising therefrom, to the elders for the time being, of the Anna-Baptist congregation aforesaid, and the remaining one-third to the wardens and vestry for the time being, of the Episcopal church of St. Peter aforesaid, for the support of the ministry in the said churches respectively, and upon the death of the said trustees or their successors, or either of them, the executors or administrators of the said trustees, or their successors, shall assign and transfer all bonds, specialties, mortgages and other securities taken in trust as aforesaid, to such person and persons, as the said elders, church-wardens and vestry, shall respectively appoint to succeed the trustee or trustees so deceased: *Provided always,* that in case of the dissolution of the corporation of the aforesaid churches, that then all the neat proceeds of the said sale, in whatever manner the same may be vested, shall descend to the legal representatives of the aforesaid Daniel Evans, deceased, agreeably to the intestate laws of this commonwealth, then in force.

SECT. II. *And be it further enacted by the authority aforesaid,* That within twelve months after the sale aforesaid, the said elders of the Anna-Baptist congregation aforesaid, and the wardens and vestry of the Episcopal church aforesaid, shall cause to be erected a tablet of marble, in their respective churches, dedi-

Trustees to be appointed who are empowered to sell a tract of land, in Chester county, heretofore bequeathed to the Anna Baptist congregation, in Vincent township, and the Episcopal church of St. Peter, in Tredyffrin township, &c. And to place the monies arising therefrom, at interest, two-thirds whereof to be paid annually to the Anna-Baptist church aforesaid, and the remaining third to the Episcopal church for the support of their Ministry. &c. In case of the dissolution of the corporation of said churches, the monies to go to to the legal representatives of the Testator. Tablets of Marble to be erected in the respective



churches de- cated to the memory of Daniel Evans, deceased, with appropriate inscriptions of his donation to said churches respectively.  
 memory of Daniel Evans,  
 the Testa. or,  
 with appropriate inscriptions, &c.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the tenth, in the year of our Lord one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XIX.

*An ACT for the relief of James Mitchell.*

WHEREAS it hath been represented to the legislature that James Mitchel entered the army of the United States, in the year one thousand seven hundred and seventy-s and was wounded in the ankle at the battle of Long Island, the same year, which rendered him unfit for duty for some time, and in consequence of which he did not receive his full pay, that on his recovery he resumed the public service, and was some time afterwards appointed serjeant-major in the regiment commanded by colonel Richard Butler, in which capacity he continued to serve until after the surrender of Cornwallis at York-town in Virginia, when he was discharged, which discharge has been lost: And it further appears that he never received any thing in consequence of his wounds, nor a tract of donation lands, for remedy whereof;

SECTION I. *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the proper officers shall place James Mitchell on the list of soldiers entitled to draw donation lands, and on his application, either personally, or by his agent or attorney constituted for that purpose, shall draw and patent him such quantity of donation lands as of his rank is entitled to, in full of all his claims against the commonwealth.*

James Mitchell to be placed on the list of soldiers entitled to donation land.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the tenth, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XX.

*An ACT for the relief of divers purchasers of the confiscated estate of Harry Gordon, who were evicted from the same.*

**W**HEREAS the supreme executive council of this commonwealth, did by proclamation bearing date the twentieth day of March, one thousand seven hundred and eighty-one, name and require Henry Gordon to render himself to the proper officer in this state on or before the first day of November then next ensuing, and to abide his trial for high treason in pain of being attainted and forfeiting as persons attainted ought to do; and whereas the party named and required did not render himself as aforesaid, in consequence whereof, the agents for forfeited estates seized two certain tracts of land in (then Bedford now) Huntingdon county, the property of a certain Harry Gordon, one of the said tracts containing fourteen hundred and ninety-five acres, and the other containing three hundred and twenty-five acres, and sold the same to a certain James Woods: And whereas the supreme executive council refused to give a deed for the said lands to the purchaser,\* by reason of doubts whether the said Harry Gordon was properly required to render himself by the name of Henry Gordon; whereupon the legislature of this commonwealth, on the thirty-first day of January, one thousand seven hundred and eighty-three, passed an act for the attainder of Harry Gordon, unless he should surrender himself on or before the twenty-fourth day of July, then next ensuing, and abide his trial for high treason; and in case he should not so surrender himself, did thereafter confirm the said sale, and make it of the same validity, as if the said Gordon had been properly named and duly attainted by the proclamation of council: And whereas the said Harry Gordon did not render himself according to the provisions of the said act; whereupon the supreme executive council did on the second day of October, one thousand seven hundred and eighty-three, execute a deed for the said tracts of land, to the said James Woods, therein reciting the premises: And whereas seven hundred and fifty acres of the said larger tract of land, came by sundry conveyances from the said Woods to the devisees of Adam Holliday, of the county of Huntingdon; and four hundred and sixty-two acres and three quarters of the same tract, came by sundry conveyances to David Hayfield Conyngham, of the county of Philadelphia, the possession of the remainder of the same tract not having been recovered by said David Hayfield Conyngham; and the said smaller tract of three hundred and twenty-five acres came by sundry conveyances to Daniel Martin of Huntingdon county, and the devisees of the said Adam Holliday, the said David H.

Conyngham, and the said Daniel Martin, were by judgments of the circuit court of the United States, rendered in April sessions one thousand eight hundred and five, and one thousand eight hundred and six, severally evicted from the said parcels of land, by a certain Harry Gordon, heir at law of the first named Harry Gordon : And whereas it appears to the legislature, that the ground of the said eviction was the misnomer of said Harry Gordon, in the proclamation of council ; and it is thereby made evident that the sale aforesaid was not of the same validity as it would have been, had the said Harry Gordon been properly named, and duly attainted by proclamation of council : Therefore, to relieve the said parties from the severe loss and injury arising from their contract with this commonwealth, and to carry into effect the promise of this State, solemnly given to the parties by an act of the General Assembly :

*BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the sum of ten thousand six hundred and twenty-six dollars, is hereby granted to the said David Hayfield Conyngham, and the executors of the testament and last will of Adam Holliday, deceased, in full compensation to them, by reason of the evictions aforesaid ; and David Stewart, Andrew Henderson, and John Canan, are hereby appointed to view the said tracts of land respectively, and to apportion the said sum of money to the said David H. Conyngham, and the executors of Adam Holliday, deceased, according to the value of the said lands, respectively, at the time of the purchase of Adam Holliday ; and their decree therein shall be final ; and the said viewers shall report their proceedings in the premises to the Governor, who shall thereupon draw his warrants on the State treasurer, in favour of the said parties respectively, for the sum by the said viewers decreed to be paid to them respectively ; and the money so apportioned and decreed to the executors of the said Adam Holliday, shall enure to the uses of the testament and last will of said Adam Holliday, in the same manner as is therein directed, as to the said land : And the Governor is also hereby authorized further, to draw his warrant in favour of Daniel Martin, for the sum of one thousand and two hundred dollars in full compensation to him, in consequence of the eviction of the said Daniel Martin from the said three hundred and twenty-five acres, which warrants shall be paid by the treasurer out of any unappropriated monies in the treasury : *Provided, That before the said viewers shall proceed to perform the duties herein required, they shall**

10626 dollars  
granted to D.  
H. Conyngham and  
others, in  
compensation  
for losses sustained by reason of their  
eviction from  
certain lands  
purchased at  
a sale by the  
agents of forfeited estates.  
&c.

take an oath or affirmation before any Justice of the peace, faithfully and truly to perform the same.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the tenth, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XXI.

An ACT aiding the commissioners of Beaver county to procure water in the Borough of Beaver.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

That the sum of seven hundred dollars be, and the same is hereby granted to the commissioners of Beaver county, for the time being, to be paid out of the monies arising from the sales of the lots and reserved lands adjoining Beaver-town, under an act of Assembly, entitled "An act directing the sales of certain town lots, in the town of Beaver, and other lands adjacent thereto," passed March the second, one thousand eight hundred and five, and it may and shall be lawful for any person or persons, having purchased a lot or lots at the sales aforesaid, to pay the last moiety of the purchase money due this commonwealth to the commissioners of the said county, who are authorized to receive the same to the amount of seven hundred dollars, and the receipts of said commissioners to such purchaser or purchasers shall be received by the receiver-general of this commonwealth in lieu of the purchase money due by them respectively.

Seven hundred dollars granted to the Commissioners of Beaver county :

SECT. II. *And be it further enacted by the authority aforesaid,* That the said commissioners of Beaver county, be, and they are hereby directed to apply the aforesaid sum of seven hundred dollars (or so much thereof as shall be found necessary), to the making and completing a public well, in such part of the public borough in the borough of Beaver, as they shall think most proper; and if after said object be accomplished, there shall remain in the hands of the said commissioners any part of the said seven hun-

Who are to apply the same, (or so much as may be necessary) in sinking a public well, in the borough of Beaver.

dred dollars unexpended, they shall forthwith pay the same into the treasury of this commonwealth.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the tenth, in the year of our Lord,  
one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XXII.

*An ACT authorizing the Commissioners of Bedford and Indiana counties, to levy and collect county taxes for the years, one thousand eight hundred seven, and eight.*

**W**HEREAS the commissioners of the counties of Bedford and Indiana have omitted in the last triennial assessment, to assess county taxes on the said counties, in consequence of which omission, it is impossible by the existing laws, for them to make such assessment, until the next triennial assessment: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of Bedford county are hereby authorized to levy and cause to be collected, county taxes for the county aforesaid, for the years one thousand eight hundred and seven, and one thousand eight hundred and eight, in the same manner and subject to the same regulations, as the commissioners of other counties within this commonwealth, are by law authorized to do, which proceedings shall have the like effect in law, as if the last triennial assessment had been duly made in the county aforesaid at the time heretofore appointed by law for that purpose.*

The Commissioners of Bedford county empowered to levy county taxes for the years 1807 & 1808.

Commissioners of Indiana county to appoint assessors, &c.

Their duties.

SECT. II. *And be it further enacted by the authority aforesaid, That the commissioners of Indiana county, be, and they are hereby authorized and required, to appoint assessors and assistant assessors, in that part of Indiana county, lying north of the old purchase line, formerly a part of Lycoming county, who shall do and perform all, and singular the duties enjoined upon assessors and assistant assessors, by the existing law, for raising county rates and levies within this commonwealth, within that part of the county of Indiana aforesaid; and it shall be the duty of the commissioners aforesaid, to levy and cause to be collected, county rates and levies for the years one thousand eight hundred and seven, and one thousand eight hundred and eight, as fully and effectually to all intents and purposes, agreeably to the*

act for raising county rates and levies, as if the same had been included in the last triennial assessment.

SIMON SNYDER, *Speaker*  
of the *House of Representatives*.

P. C. LANE, *Speaker of the Senate*.

APPROVED—February the tenth, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XXIII.

A further SUPPLEMENT to the act entitled "*An act to provide for the erection of a House for the employment and support of the poor in the county of York.*"

WHEREAS the act to which this is a supplement does not provide for the adjustment of claims which existed at the time it was passed and came into operation: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That all

claims and demands existing at the passing or coming into operation of the act to which this is supplementary, shall have the same force and effect, and be prosecuted in the same manner as if that act had not been passed; and upon final adjustment of such claims and demands, if need be, it shall be the duty of the supervisors of the highways of the borough or townships against which the said claims or demands are established, to collect the same by a tax on the said borough or townships, and pay the same in discharge of the said claims and demands; and that it shall be the duty of the persons appointed in the said borough and townships, to settle the accounts of the supervisors of the highways, to settle the accounts of the overseers of the poor of each borough, and their respective townships.

Of prosecuting and paying demands existing at the coming into operation of the original act.

SIMON SNYDER, *Speaker*  
of the *House of Representatives*.

P. C. LANE, *Speaker of the Senate*.

APPROVED—February the tenth, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XXIV.

*An ACT for the relief of Isaac Ely.*

**W**HEREAS it has been represented to the legislature, that Isaac Ely of Reading in the county of Berks, on the eighth day of August, one thousand seven hundred and seventy-six, enlisted in the company of captain Andrew Rodheffer, in colonel John Moore's battalion of the Pennsylvania flying camp, and on the eighteenth day of November following, was taken prisoner at Fort Lee, continued in confinement to about the middle of February following (the greater part whereof in a prison ship, where he suffered considerably), then permitted to go home on parole for a considerable time, and was exchanged some time in the month of May, one thousand seven hundred and eighty, being three years nine months and some days from the time of his enlistment to the time of exchange, during all which time he received no pay, as testified by his said captain: Therefore,

Donation to  
Isaac Ely.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Governor be and he is hereby authorized and required to draw his warrant on the treasurer in favour of Isaac Ely, for one hundred and three dollars, to be paid out of any unappropriated money in the treasury.*

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the tenth, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN,

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 CHAPTER XXV.

*An ACT authorizing the secretary of the commonwealth to procure an additional number of copies of Carey and Bioren's edition of the Laws, with Bioren's Continuation.*

**W**HEREAS it appears there is not a sufficient number of copies of the laws printed by Carey and Bioren remaining in the Secretary's office to supply all the officers entitled thereto by law: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,*

and it is hereby enacted by the authority of the same, That the Secretary of the Commonwealth be, and he is hereby authorized and directed to procure from John Bioren, three hundred copies of Carey and Bioren's edition of the laws, with an equal number of copies of Bioren's continuation, to be placed in the Secretary's office, for distribution according to law: *Provided*, They can be obtained at the price paid for those that were subscribed and extracted for respectively; that the Governor be authorized to draw his warrant on the State treasurer for the amount, to be paid out of any unappropriated monies in the treasury.

The Secretary authorized to procure an additional number of Copies of Carey and Bioren's edition of the Laws, Price Limited.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the tenth, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XXVI.

*ACT enabling Anna Maria Hanke, the wife of Matthew Hanke, late Anna Maria Eyerly, widow and relict of Jacob Eyerly, junior, late of Nazareth in the county of Northampton, deceased, and administratrix de bonis non of the said Jacob Eyerly, junior, with the will annexed, to convey certain lands therein mentioned.*

WHEREAS it satisfactorily appears to the legislature that Jacob Eyerly, junior, late of Nazareth in the county of Northampton, deceased, and George Huber of Bethlehem in the same county, blacksmith, were seized in fee as tenants in common, of a certain messuage, plantation and tract of land, more or less, lying, and being on the West Branch of the river Delaware in Bethlehem township in the county aforesaid, adjoining and late of Patrick Græme and Thomas Græme, and land of George Wistar, containing five hundred and thirty acres and more or less, and also of a certain island in the said West Branch of Delaware, called Number Nine, lying opposite to the above described tract of land, and opposite to land now or late of Edward Freeman, on the southerly side of the said river, containing nine acres and one hundred and thirty perches, be the same more or less, together with the appurtenances to the said tract of land and island respectively belonging: That the said Jacob Eyerly, junior, and the said George Huber in the lifetime of the said Jacob Eyerly, sold and conveyed several parcels of the said described tract of five hundred and thirty acres of land and allowante, to divers citizens of Northampton county, and that the said Jacob Eyerly, junior, in his life-time, on or



about the third day of July, in the year of our Lord, one thousand seven hundred and ninety-six, by writing signed by him in the presence of Daniel Kliest, esquire, now deceased, and John Wagener of Bethlehem, who subscribed the same as witnesses to the execution thereof, agreed to convey and release to the said George Huber in fee-simple, all his, the said Jacob Eyerly's moiety, or undivided half part of the residue of the said described tract of land and of the island aforesaid, for the consideration of one thousand three hundred and forty-three pounds and thirteen shillings; but the said agreement has been unfortunately lost by the said George Huber, the same having not been recorded: That the said purchase money was paid by the said George Huber to the said Jacob Eyerly, but that the said Jacob Eyerly, junior, died on the eleventh day of May in the year of our Lord, one thousand and eight hundred, without having conveyed and released to the said George Huber, his moiety of the residue of the said tract of land and of the said island, according to his agreement, and without having made provision for the performance of the said agreement by his last will and testament, or otherwise, the heirs of the said Jacob Eyerly being all minors: And it further appears that this case does not fall within the provisions of the acts of Assembly, empowering the supreme court and courts of common pleas to supply defects in the titles of lands occasioned by the loss of deeds or writings respecting the same, nor within the provisions of the acts of Assembly, made to enable executors and administrators, by leave of the court, to convey lands and tenements contracted for, with their decedents; and it is just and reasonable to grant relief in the premises: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* Anna Maria Hanke, late Anna Maria Eyerly, widow and relict of Jacob Eyerly, junior, late of Nazareth in the county of Northampton, deceased, administratrix *de bonis non*, with the land hereby annexed of the said Jacob Eyerly, junior, be, and she is hereby authorized by a sufficient deed of conveyance in the law to convey, release and assure to George Huber, of Bethlehem township, in the county of Northampton, blacksmith, his heirs and assigns, in fee-simple, all the right, title, interest, property and estate whatever, in law or in equity, of the said Jacob Eyerly, of, in and to the moiety or undivided half part of the unsold residue of a tract of five hundred and thirty acres of land and allowance, situate, lying, and being on the West branch of the river Delaware in Bethlehem township, in the county aforesaid, adjoining lands late of Patrick Græme and of Thomas Græme, and lands of Caspar Wistar, and also of a certain isl-

The Administratrix *de bonis non*, with the will annexed, of Jacob Eyerly, junr. empowered to convey in fee simple to George Huber of Northampton county, a certain piece of land situate in the county aforesaid; in performance of a contract made in the life time of the said Jacob Eyerly.

in the said West branch of the river, called Number Nine, lying opposite to the above described tract of land, and opposite to land now or late of Richard Freeman, on the southerly side of said river, containing nine acres and one hundred and thirty perches, be the same more or less, together with the appurtenances to the said tract of land and island respectively belonging in pursuance and in performance of a contract or agreement for that purpose made and entered into by and between the said Jacob Eyerly, and the said George Huber, in the life-time of the said Jacob Eyerly, which deed shall be as effectual to all intents and purposes, to vest the premises in fee-simple in the said George Huber, as if the said Jacob Eyerly, junior, had fully complied with the said agreement, and conveyed the said premises to the said George Huber, in fee-simple in his life-time : *Provided nevertheless*, That before the said deed shall be executed, it shall satisfactorily appear to the president of the Orphans court of Northampton county, and to the said Anna Maria, that the whole of the consideration money therefor has been paid by the said George Huber, and the said agreement or contract on his part in all other respects fully satisfied and performed.

The consideration money must first satisfactorily appear to have been paid.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XXVII.

### *An ACT for the relief of Abraham Griffiths.*

WHEREAS it hath been represented to the legislature that Abraham Griffiths was during the late revolutionary war, enlisted as a soldier and served three years in the Pennsylvania line, and also that he never received the full amount of his pay and clothing : Therefore,

*Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the said Abraham Griffiths be, and he is hereby allowed the sum of one hundred dollars, in full for his services as a soldier in the late revolutionary war, to be paid him on a warrant drawn by*

One Hundred Dollars granted to A. Griffiths

the Governor, out of any unappropriated money in the treasury of this commonwealth.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

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CHAPTER XXVIII.

*An ACT for the relief of Doctor Samuel Edmiston.*

**W**HEREAS it appears, that Doctor Samuel Edmiston entered into the service of his country, in the year, one thousand seven hundred and seventy-seven, as a surgeon, and attended the sick and wounded on board of the armed vessels of war, that from this service he was ordered to accompany the flying camp, and from thence to attend at the general hospital, where he continued in his capacity as aforesaid until the termination of the war. And whereas it appears by his receipt on file for the depreciation of his pay, that the petitioner was considered as a member of the army, during the war, and from his service as aforesaid, he is entitled to be placed upon the same footing as the officers and soldiers of the line : Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the board of property be, and they are hereby authorized to grant to Doctor Samuel Edmiston, a patent for such quantity of donation land, as surgeons in the Pennsylvania line were by law entitled to receive.*

A tract of  
Donation  
land granted  
to Doctor S.  
Edmiston.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XXIX.

An ACT for establishing and confirming the place for holding the courts of Justice, in the county-district of M<sup>c</sup>Kean.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

That the seat of justice for the county district of M<sup>c</sup>Kean, shall be, and the same hereby is established and confirmed at the town of Smeth's port in the county of M<sup>c</sup>Kean, and it shall be the duty of the trustees of the said county district, to demand, and receive from John Keating, Richard Gernon and John S. Roulet, a sufficient deed or deeds in fee simple, in trust to them, for the use of said county, for one full and equal moiety of the town lots in the said town of Smeth's port, free of any expence for surveying and laying out the same, and for two public squares in said town, one whereof shall be, and is hereby forever appropriated for the purpose of erecting thereon, the public buildings for the use of the said county, and the other for the use of an academy or public school in the said town; and also, for one hundred and fifty acres of land, to be laid off in a regular plot, from the tract of land on which the said town is situate, to be selected and chosen by said trustees, which shall be, and is hereby forever appropriated to the use of an academy or public school for said county, and also, to demand and receive from the said John Keating, the sum of five hundred dollars, for the purpose of erecting a suitable building for the use of the said academy or public school, or sufficient security for the payment thereof in a reasonable time: And the said trustees shall procure the said deed or deeds to be recorded in the office for recording deeds, in the county of Centre, in the proper book directed to be kept for the county of M<sup>c</sup>Kean, and the said trustees or a majority of them, are hereby authorized to sell and dispose of the lots aforesaid, in such manner as will be most for the benefit of the county, and to make and execute deeds to the purchasers, and the monies arising from such sales shall be by them held and reserved, for the use and benefit of M<sup>c</sup>Kean county, subject to the disposal of the commissioners of M<sup>c</sup>Kean county when the choosing or electing such commissioners shall, or may be authorized by law: *Provided always,* That nothing in this act contained, shall have any force or effect in law, unless John Keating, Richard Gernon, and John S. Roulet, shall execute and deliver to the trustees aforesaid, such deed or deeds, for the lots and lands aforesaid, and fully perform all their engagements as aforesaid.

SECT. II. *And be it further enacted by the authority aforesaid,* That the aforesaid trustees shall each receive one dollar and thirty-three cents, for every day they shall be employed in the performance of the duties of the aforesaid trust, which shall be

The seat of Justice for M<sup>c</sup>Kean county established at the Town of Smeths port.

The Trustees of said county to receive from John Keating conveyances in fee simple for one moiety of the Town lots for the use of said county, &c.

Also for 150 acres of land to be appropriated to the use of an Academy or public school,

And also to demand and receive from said Keating 500 Dollars for erecting a building for the use of said school.

Said Deeds to be recorded in the Recorder's office of Centre County. The Trustees authorized, to sell and convey to the purchasers the aforesaid lots.

The monies arising from such sales to be held for the use and benefit of M<sup>c</sup>Kean county, &c.

Compensation of the Trustees & how paid.

The Trustees within six months after the organization of Mc Kean county to surrender the trusts vested in them by this act to the commissioners of said county.

Powers and duties of said commissioners.

A return of the survey of the Town and 150 acres of land to be filed in the Recorder's office of Centre county or Mc Kean county.

paid by the treasurer of Centre county, on orders from the commissioners of said county, out of the taxes levied in the county district of Mc Kean.

SECT. III. *And be it further enacted by the authority aforesaid,* That within six months from and after the courts of law, and board of commissioners shall have been established and opened by law, in and for said county, the said trustees shall surrender and convey to the said commissioners and their successors in office, in trust, for the use of the county, all the trust and trusts vested in them, or a majority of them by this act, and the said commissioners of the county, are hereby empowered and required to do and perform the several duties which may remain to be done, and the said county commissioners shall have power, and it shall be their duty to call upon, and if necessary, compel the aforesaid trustees or either of them, by suit, to settle their accounts and pay over to the treasurer of the county, any monies which may remain in their hands, or in the hands of either of them, due to the county of Mc Kean, from the sale of the town lots aforesaid.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the said trustees shall, as soon as may be, file a draught and return of the survey of the said town, and one hundred and fifty acres of land, together with their proceedings under, and by virtue of this act, in the proper books, in the office of the recorder of deeds in and for the county of Centre, or in the said office for the county of Mc Kean if such office be then established by law.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XXX.

### *An ACT appointing a Trustee in Centre County.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That John G. Lowry be, and he is hereby appointed a trustee for Centre county, in the room and stead of Robert Boggs, Esq. deceased : And the said John G. Lowry is hereby invested with all and singular the powers and authorities and subjected to all

John G. Lowry appointed a trustee of Centre county, &c.

the duties which by law are vested in, and required of a trustee of said county.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

### CHAPTER XXXI.

*An ACT for the relief of Andrew Patterson.*

**W**HEREAS it appears to the Legislature, that Andrew Patterson of York county, was an enlisted soldier for, and during the war, and served as an artificer in a company of artificers commanded by captain Thomas Wiley, but from a wound received in his wrist, after serving about three years, was discharged, and left the service without receiving any of his bounty or clothing: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, that it is hereby enacted by the authority of the same, That the officers of the land office, are hereby authorized and required to issue a warrant to Andrew Patterson, for such quantity of donation land, as he would have been entitled to, had he served to the end of the war.*

A tract of Donation land granted to A. Patterson.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

### CHAPTER XXXII.

*An ACT to enable Jonathan Mifflin to convey a part of a certain tract of land therein mentioned.*

**W**HEREAS it is represented to the legislature, that Jonathan Mifflin intermarried with Frances Mifflin, who at the time of the said intermarriage was seized and possessed of a certain tract of land, containing three hundred and ninety-three acres, and one hundred and fifty-four perches. situate, lying and being on the east side of French creek, surveyed and returned in the name of Fanny Mifflin, adjoining lands of Peter Levy, and certain lots of donation land, numbered one thousand five hun-

dred and twelve, and one thousand five hundred and thirteen and lands of Emily Mifflin and Paul Levy, now in the county of Crawford: That the said land was by law subject to certain conditions of settlement and improvement, without which the title thereto could not be completed: That in order to complete the title thereto, the said Jonathan Mifflin by certain articles of agreement, covenanted with a certain James Dixon to settle and improve the said tract of land, agreeably to the directions of the act of Assembly in such case made and provided, and as an encouragement thereto, did grant and agree to and with the said James Dixon, to convey to him one hundred acres of the said tract of land in manner and form as is particularly set forth in the said articles of agreement: That the said James Dixon faithfully complied with the covenants and engagements by the said articles on his part to be done and performed, and settled and improved the said tract of land agreeably to law, so that an indefeasible estate in fee-simple of, and in the said land, vested in the legal representatives of the said Frances Mifflin: But that the said Frances Mifflin is since deceased, leaving issue not capable by reason of minority, to convey the said one hundred acres of land, and the said Jonathan Mifflin, now claiming only an estate for life as tenant by the courtesy, cannot by law complete the contract so made as aforesaid, all which premises have been made manifest, and it is just and proper to provide a remedy: Therefore,

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Jonathan Mifflin be, and he is hereby authorized by a sufficient deed in the law, to convey to James Dixon one hundred acres of land, part of a tract of land surveyed and returned in the name of Fanny Mifflin as above described and set forth, in fee simple, agreeably to the articles of agreement thereof, made and executed by and between the said Jonathan Mifflin and the said James Dixon, which said deed shall be as effectual to all intents and purposes to vest an estate in fee simple, of, in, and to the said one hundred acres of land in the said James Dixon, as if the said Frances Mifflin were now living, and the said deed had been legally executed and acknowledged by the said Jonathan Mifflin and Frances his wife.

Jonathon Mifflin enabled to convey to J. Dixon one hundred acres of land, situate in Crawford county, in discharge of a former contract.

**SIMON SNYDER,** *Speaker  
of the House of Representatives.*

**P. C. LANE,** *Speaker of the Senate.*

**APPROVED**—the fourth day of March, one thousand eight hundred and seven.

**THOMAS M'KEAN.**

## CHAPTER XXXIII.

*An ACT for the relief of James Ralston.*

SECTION I. **B**E it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the Governor be, and he is hereby authorized to draw his warrant on the treasurer, for the sum of three hundred twenty-three dollars and sixty-seven cents, as a compensation in full for the services rendered by the said James Ralston as agent under an act to prevent intrusions on lands within the counties of Northampton, Northumberland and Luzerne.

Three hundred and seventy three dollars seventy three cents granted to James Ralston.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XXXIV.

*An ACT for the relief of William Sherrard.*

**W**HEREAS it hath been represented to the legislature by William Sherrard, the father of William Sherrard, junior, of Washington county, deceased, accompanied by satisfactory evidence, that this commonwealth issued a warrant to Philip Whiteby, dated the twenty-fifth of October, one thousand seven hundred and eighty-four, for four hundred acres of land, situate on the waters of Fish-Creek, supposed to be within the county of Washington : And the said Whiteby afterwards, viz. on the twenty-ninth day of July, one thousand seven hundred and eighty-five, conveyed his right and title of the said warrant and land to John Hughes, and Timothy Ryan : And on the fourth day of August, one thousand seven hundred and eighty-five, a patent was issued to the said John Hughes, and Timothy Ryan for the same : And the said Timothy Ryan conveyed his right in said tract to John Hughes, who conveyed the said four hundred acres of land to William Sherrard, junior, who since died between the age of twenty-one and twenty-two years, intestate, leaving neither widow, nor lawful issue : That the said land on running the permanent western boundary line of this state, was ascertained to be without this state, and within the state of Virginia ; and that the agreement and laws of compromise between the two states, relative to the security of titles in each, contiguous to, and likely to be affected by maintaining said boundary, do not provide for his case because



the warrant and patent issued for said land, subsequently to said agreement and laws of compromise, and previously to the running and opening of the said western boundary line : Therefore,

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of property upon the application of William Sherrard, (father of William Sherrard, junior, deceased) or his legal representative or representatives, whose tract of land patented to John Hugh and Timothy Ryan, under date of the fourth of August, one thousand seven hundred and eighty five, has been ascertained to lie in the state of Virginia, on the waters of Fish-Creek, on making legal surrender of said patent to this commonwealth, which he is hereby authorized to do, shall liquidate the amount of payments heretofore made, into the state treasury for the said land, exclusive of office fees, and certify the same to the Receiver-general, who shall thereupon deliver a certificate of such sum, with interest thereon, from the time the same shall appear to have been paid to the state, to the said William Sherrard, or his legal representative or representatives, and shall enter a credit on his books for the same, which certificate of such sum shall be transferable and admitted in said office in payment of the arrears of any former grants of lands, but in no other manner.

**SIMON SNYDER,** *Speaker  
of the House of Representatives.*

**P. C. LANE,** *Speaker of the Senate.*

**APPROVED**—the fourth day of March, one thousand eight hundred and seven.

**THOMAS M'KEAN.**

## CHAPTER XXXV.

*An ACT declaring part of Brush creek in the county of Bedford, and parts of Allegheny river, and Oswayo and Conodoguish creeks in the counties of Potter and M'Kean, and Bald Eagle creek in Centre county, public streams or highways.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passing of this act, all that part of Brush creek, situate between the mouth thereof and the mouth of Shaver's creek, in the county of Bedford, be, and the same shall be, hereby declared a public stream or highway, for the passage of boats and rafts ; and it shall and may be lawful for persons do

Part of  
Brush creek  
in Bedford  
county, de-  
clared a  
public  
stream or  
highway.

sious of using the navigation of the said creek, to remove all the obstructions therein: *Provided*, They do not thereby injure the property of any individual on either side of the said creek.

SECT. II. *And be it further enacted by the authority aforesaid*, That from and after the passing of this act, all that part of Osway creek in the counties of Potter and McKean, which lies between the north line of this state and the forks of the said creek about twenty miles from its mouth, be, and the same is hereby declared a public stream or highway, for the same purposes and under the same provisions as are contained in the first section of this act.

Part of Osway creek in Potter and McKean counties, declared a public stream or highway.

SECT. III. *And be it further enacted by the authority aforesaid*, That from and after the passing of this act, all that part of Six's or Conondau creek, which lies between the town of Smith's port in the county of McKean, and the mouth of the said creek, and so much of the Allegheny river, in the counties of Potter and McKean, as lies southwardly of the North line of the state, be, and the same are hereby declared public streams or highways for the same purposes and under the same provisions as are contained in the first section of this act.

Part of Conondau creek in the county of McKean and part of the Allegheny river declared public streams or highways.

SECT. IV. *And be it further enacted by the authority aforesaid*, That from and after the passing of this act, all that part of Bald Eagle creek in Centre county, situate, and lying between Milesburg and Joseph Williams's land, a distance of about eight miles, be, and the same is hereby declared a public stream or highway, for the same purposes, and under the same provisions as are contained in the first section of this act.

Part of Bald Eagle creek in Centre county declared a public stream or highway.

SECT. V. *And be it further enacted by the authority aforesaid*, That any person or persons, owning or possessing land on either of the said creeks or river, shall have liberty to erect any dam or dams across the same, agreeably and subject to all the restrictions and provisions of an act of the General Assembly of this Commonwealth, passed the twenty-third day of March, one thousand eight hundred and three, entitled "An act to authorize any person or persons owning lands adjoining navigable streams of water declared public highways, to erect dams upon such streams for mills and other water works."

Persons owning land on either of said creeks privileged to erect dams across the same subject to certain restrictions.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS MCKEAN.

## CHAPTER XXXVI.

*An ACT to raise by way of lottery, sundry sums of money for the purposes therein mentioned.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same* That John Horn, John Roth, George Keck, George Wenner, George Rhoads, and George Youndt, of the county of Northampton, be, and they are hereby appointed commissioners to raise by way of lottery, a sum of money not exceeding two thousand dollars, to be by them applied to the payment of the debts of the German Lutheran congregation, and for the erection of a school-house for the use of said congregation, in the town of Northampton in the county aforesaid.

Commissioners named.

Sum to be raised and for what purpose.

Commissioners for a second lottery.

Sum to be raised and how to be applied.

**SECT. II.** *And be it further enacted by the authority aforesaid,* That John Clark, Christian Brobst, Isaiah Willis, Gabriel Launt, and Hezekiah Boon, of the county of Northumberland, be, and they are hereby appointed commissioners to raise by way of lottery, a sum of money not exceeding two thousand dollars, to be by them applied to the purpose of repairing, altering and improving a certain part of the great road leading from Catawissa to Reading, beginning at the west side of the Little Mountain and continuing towards Reading to the south side of the Tuscarora mountain.

Commissioners before selling any of the tickets to lay the schemes respectively before the Governor for his approbation, &c.

**SECT. III.** *And be it further enacted by the authority aforesaid,* That the said commissioners respectively before they proceed to sell any tickets in the said lotteries respectively, shall lay such scheme thereof before the Governor as shall meet his approbation, and shall respectively enter into bonds to him for the due and faithful performance of their duty in selling the tickets, drawing the lottery, and paying the prizes, and each of them before entering on the duties of his appointment, shall take and subscribe an oath or affirmation before the president of the proper district, or any of the associate judges of the proper county, diligently and faithfully to perform the duties intrusted to him, and two of the commissioners of each lottery respectively, at least, shall attend each day's drawing of the lottery for which they are appointed commissioners, and when the whole is completed, the commissioners of each lottery respectively, or a majority of them shall cause an accurate list of the fortunate numbers to be published in one newspaper at least, in the city of Philadelphia and in the towns of Easton, Northumberland and Reading.

Further powers of the Commissioners.

**SECT. IV.** *And be it further enacted by the authority aforesaid,* That the said commissioners respectively be, and they are hereby authorized to settle and adjust all accounts which may be

exhibited by any person or persons legally employed in carrying this act into effect, and that all expences attending the same, shall be paid by the said commissioners out of the nett proceeds of the said lotteries.

SECT. V. *And be it further enacted by the authority aforesaid,* What prizes That all prizes not demanded within twelve months next after are to be the publication as aforesaid, shall be considered as relinquished considered for the benefit of the aforesaid objects respectively. as relinquished.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

CHAPTER XXXVII.

*A SUPPLEMENT to an Act entitled, "An act to enable the Governor of this Commonwealth to incorporate a company for opening a Canal and Lock Navigation between the rivers Schuylkill and Susquehanna, by the waters of Tulpehocken, Quittapahilla and Swatara, in the counties of Berks and Dauphin."*

**W**HEREAS the completion of the Schuylkill and Susquehanna navigation is of the first importance to the agriculture, commerce and manufactures of this Commonwealth, and The President, managers, &c. authorized to build bridges or make crossings at their option, where the canal shall cross any public or private road or highway &c. How such fords are to be constructed. Of valuing lands through which the canal may pass.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the said canal shall cross any public or private road or highway, or shall divide the grounds of any person into two parts so as to require fords or bridges to cross the same, the said president, managers and company shall be at liberty as they may think proper at any time hereafter, either to build bridges or cause fords to be rendered practicable and fit for the passage of carts and waggons, and the bottom of such fords shall be made of stones or wood, and the water of any such ford shall not be deeper than thirty inches, and the breadth of such ford shall be twelve feet at the least, and wherever any such bridge or bridges may have been erected either to repair the same or cause a ford to be made in lieu thereof: And it shall be the duty of the jury in valuing any lands, tenements or hereditaments under any writ in the nature of *ad quod damnum* to take

into consideration the advantage derived to the owner or owners of the premises from the said navigation passing through the same.

The president, managers and company to regulate the rate of tolls, &c.

SECT. II. *And be it further enacted by the authority aforesaid,* That the said president, managers and company shall have the right to regulate and fix from time to time, as they may think proper, the rate of tolls on every article for each distance, provided the same does not exceed the rate per centum on the capital stock allowed by the original act of incorporation.

Of subscriptions for new shares.

SECT. III. *And be it further enacted by the authority aforesaid,* That at any future subscription for new shares in the said company, it shall be lawful for the owners of shares now completed, to add to the original sum of four hundred dollars, the interest on each and every payment from the date of each requisition for such payment: And in case that the shares now forfeited to the said company should hereafter be readmitted on payment of the arrears due with interest, they shall enjoy the same rights and privileges as the shares now completed.

Of readmitting forfeited shares.

Of forming a surplus fund for future casualties.

SECT. IV. *And be it further enacted by the authority aforesaid,* That as soon as the funds of the company do permit after payment of all charges and interest on any loan or loans that may have been made, and of a dividend of six per centum per annum to the stockholders, the president and managers shall retain from time to time out of the profits of the company, such sums annually as they may judge necessary, till the same does amount at least to one hundred thousand dollars as a surplus fund, to be by them invested in such stock as they may think most advantageous, for the purpose of rendering the future dividends from year to year as equal as possible, to provide for the interest of any loan and any casualty that may happen.

The Schuylkill and Susquehanna company empowered to raise their proportion of the sum authorized by an act of the 17th April, 1795, separately from the Delaware and Schuylkill canal company.

SECT. V. *And be it further enacted by the authority aforesaid,* That to remedy the inconveniences attending two companies acting jointly where a separate interest exists, the president and managers of the Schuylkill and Susquehanna navigation be, and they are hereby authorized and empowered to raise their proportion of the provisions granted by an act of Assembly passed the seventeenth day of April, one thousand seven hundred and ninety-five, in favour of the president and managers of Schuylkill and Susquehanna navigation, and the president and managers of Delaware and Schuylkill canal navigation, for the purpose of completing the works in their acts of incorporation mentioned, separate from and unconnected with the president and managers of the Delaware and Schuylkill canal navigation, and the said president and managers of the Schuylkill and Susquehanna navigation shall appoint on such terms as they think fit, one or more managers for the purpose of carrying the aforesaid provisions into effect, upon such plan or plans, scheme or

The president and managers of Schuylkill and Susquehanna navigation.

schemes, as he or they may suppose or find most practicable or advantageous : And the said manager or managers thus appointed by the president and managers of the Schuylkill and Susquehanna navigation, shall personally and in his or their individual capacities, enter into bonds to the Governor of the commonwealth in the sum of one hundred thousand dollars, and moreover take an oath or affirmation for his or their faithful performance in the premises : *Provided always*, That the profits of said provisions shall form no capital stock of said company upon which any dividend shall be made to the stockholders, but the same shall be considered as a bounty to said corporation to enable them to make the tolls as low as possible.

SECT. VI. *And be it further enacted by the authority aforesaid*, That the said president, managers and company shall on the first Monday of January, in the year of our Lord, one thousand eight hundred and twenty, render to the legislature of this commonwealth an abstract of their accounts, shewing the whole amount of the real capital expended in the prosecution of the said navigation, the net profits of the said lotteries and also of the toll and profits collected.

SECT. VII. *And be it further enacted by the authority aforesaid*, That in lieu of the provisions made in the second section of the supplement to an act, entitled "An act to enable the Governor of this commonwealth to incorporate a company for opening a canal and lock navigation between the rivers Schuylkill and Susquehanna, by the waters of Tulpehocken, Quittapahilla and Swatara in the counties of Berks and Dauphin," and the subscription by the Governor in consequence thereof, shall be and the same is hereby annulled and made void ; the Governor of this commonwealth be and he is hereby authorized and required on the application of the said president and managers to draw a warrant on the treasurer of this commonwealth for three hundred thousand dollars, whenever it shall appear to him that the whole navigation from Schuylkill to Susquehanna has been completed and has been six months in operation : And the said grant shall be considered as part of the capital stock of the company and the state shall receive a dividend in proportion thereto : *Provided*, That the said sum of three hundred thousand dollars shall not be demanded of the commonwealth by the said president and managers until twelve months notice be given to the Governor after the completion and operation of said canal.

SECT. VIII. *And be it further enacted by the authority aforesaid*, That the Governor be, and he is hereby authorized and required to appropriate annually the amount of the duties on sales at auction, which shall be paid each year into the State Treasury for the purchasing of bank or other profitable stock, as he may judge proper, until the stock so purchased shall amount to three

to appoint managers for carrying the provisions of the aforesaid act into effect.

Which managers are to give security to the Governor &c.

The money so raised not to be added to the capital stock of the company.

The company to render, on the first Monday of January 1820, an abstract of their accounts to the Legislature.

In lieu of the provisions of a former act, a grant of 300,000 Dollars, made to the company payable on the completion of the whole navigation from Schuylkill to Susquehanna.

to be considered as part of the capital stock and for which the State is to receive a dividend, &c.

Mode of raising said Sum.

hundred thousand dollars, which stock is hereby pledged for the payment of the sum granted to the canal company by the seventh section of this act, and the interest arising from the stock so purchased from time to time shall be paid into the State Treasury, subject to the disposition of the Legislature: *Provided always*, That if the said canal shall not be completed within twenty years from the passing of this act, the state shall not be considered as pledged for the payment of the aforesaid sum of three hundred thousand dollars.

Time limited for completing the canal.

Period for completing the canal to be extended on certain conditions.

SECT. IX. *And be it further enacted by the authority aforesaid*, That if on the application of the said president and managers on the first Monday of January, in the year of our Lord, one thousand eight hundred and twenty, it shall appear to the Governor of this commonwealth, that thirty-five miles of said navigation have been well completed and are in operation, he is hereby requested to signify the same to the then legislature of this commonwealth, whereupon the time for completing the said Schuylkill and Susquehanna navigation with all the powers and privileges, benefits and rights thereunto attached or belonging shall be, and the same are hereby prolonged and continued for a further period of ten years from and after the first Monday of January, in the year of our Lord, one thousand eight hundred and twenty, for the purpose of fully finishing and completing the said necessary navigation.

So much of former acts as are hereby altered, repealed.

SECT. X. *And be it further enacted by the authority aforesaid*, That so much of the said original act or acts, or the supplement or supplements to the same as shall be hereby altered or supplied, be, and they are hereby repealed, and the remainder thereof be continued in full force and virtue.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate*.

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XXXVIII.

*An ACT authorising the Governor to incorporate a company for making an artificial road from Harrisburg through Lewistown and Huntingdon to Pittsburg.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same*, That for the purpose of making an artificial or turnpike road from Harrisburg through Lewistown and Huntingdon to Pitts-

Commissioners appointed to open

burg, the following persons, viz. Robert Ralston, Thomas Stewardson, Simon Gratz, Michael Keppele, Manuel Eyre, John Wistar, and Samuel Meeker, of Philadelphia; Charles Smith, Samuel Humes, John Hubley, Alexander Patterson, and John Haldeman, of Lancaster county; John Irwin, George Meyer, John Shoch, George Ziegler, Obed Fahnestock, and Jacob Wain, of Dauphin county; Isaac Craven, William North, John Shewman, David Miller, George Mitchel, and Thomas Cochran, of Cumberland county; Jacob Zelger, Peter Filbert, John Spayd, George D. B. Kime, Valentine Boyer, and George Douglass, of Berks county; David Davidson, William Thompson, Doctor Ezra Doty, James Knox, John Brown, George McClelland, John Norris, and John Bratton, of Mifflin county; Andrew Henderson, Patrick Guin, William Steel, John Cannon, and William Moore, of Alexandria; Thomas Province, and Lazarus Lowry, of Huntingdon county; Joseph Lilly, Thomas Phelps, Thomas W. Jones, John J. Evans, Michael Reigart, Samuel White, of Cambria county; James Martin, George Johnson, Alexander Hill, John Irwin, John Darrah, Alexander McLaughlin, and Anthony Beeler, of Allegheny county; Henry Hurst, Moses Scott, James Gibson, Edward Work, and John W. Hunter, of Meadville; William Clark, Charles Campbell, William McFarland, Thomas N. Sloane, and James Marshall, of Indiana county; Nicholas Day, James Kelly, William Findley, John Pomroy, Peter Wallace, John Kuhns, Nicholas Chapman, Jeremiah Murray, and William Johnston, of Westmoreland county; Absalom Woodward, Joseph Clark, Robert Brown, and Colonel James Sloan, of Armstrong county; shall be and they are hereby appointed commissioners, to do and perform the duties herein after mentioned, viz. they shall procure a sufficient number of books, and in each of them enter as follows: "We whose names are hereunto subscribed, do promise to pay the president and managers of the Harrisburg, Lewistown, Huntingdon, and Pittsburg turnpike road company, the sum of fifty dollars for every share by us subscribed for, in such manner and proportions, and at such times and places, as shall be determined on by the said president and managers, in pursuance of an act, entitled "An act authorizing the Governor to incorporate a company for making an artificial road from Harrisburgh through Lewistown and Huntingdon to Pittsburg; witness our hands, this            day of            in the year of our Lord, one thousand eight hundred and            " and shall give notice in at least one of the public newspapers printed at Philadelphia, Lancaster, Harrisburg, Lewistown, Huntingdon and Pittsburg, for one calendar month, of the time when the said books shall be opened in the city of Philadelphia, in the town of Lancaster, Reading, Harrisburgh, Millerstown, McPhintown, Lewistown, Huntingdon, Ebensburg, Meadville,

books and receive subscriptions to the Harrisburg, Lewistown, Huntingdon and Pittsburg turnpike road.

Form of subscription.

Notice of times and places of subscription to be published.



Who may  
subscribe.

How long  
said books  
are to be  
kept open.

Commis-  
sioners may  
adjourn the  
subscrip-  
tions from  
time to time  
&c.  
Of which  
adjourn-  
ments, &c.  
notice is to  
be given.

Subscribers  
to pay before  
subscribing  
three dollars  
for every  
share sub-  
scribed.

When a  
charter of in-  
corporation  
may be ob-  
tained.

Style of the  
corporation.

Its privileg-  
es and pow-  
ers.

Indianatown, Greensburg, New Alexandria, Kittanningtown and Pittsburg, to receive subscriptions of stock to the afore-  
company, at which respective times and places some one  
more of the aforesaid commissioners shall attend and rec-  
subscriptions from all persons of lawful age, who shall offer  
to subscribe in the said book, which shall be kept open for  
purpose aforesaid, at least six hours in every juridical day  
the space of six days, or until the book or books shall have  
scribed therein respectively, as follows, viz. in Philadelphia  
thousand shares, in Lancaster six hundred shares, in Reading  
one hundred and fifty shares, in Harrisburg nine hundred  
shares, in Millerstown six hundred shares, in Mifflintown one  
hundred shares, in Lewistown four hundred shares, in Hunting-  
don one thousand shares, in Ebensburg one hundred and  
shares, in Meadville one hundred shares, in Kittanningtown  
one hundred and fifty shares, in the town of Indiana one hun-  
dred and fifty shares, in Greensburg two hundred shares,  
New Alexandria one hundred shares, in Pittsburg one thousand  
four hundred shares; and if at the expiration of the said  
days, the books aforesaid, or any of them, shall not have  
respective number of shares as aforesaid therein subscribed,  
said commissioners respectively, may adjourn from time to time  
and transfer the said books from place to place, until the whole  
number of shares for the company aforesaid shall be subscribed,  
of which adjournments and transfers, the commissioners aforesaid  
shall give public notice, as the occasion may require, to  
every person offering to subscribe in any of the aforesaid books  
in his or her own or any other name, shall previously pay  
the attending commissioners, three dollars for every share to  
subscribed, out of which shall be defrayed the expences attend-  
ing the taking such subscriptions and all other incidental charges,  
and the residue shall be paid over to the treasurer of the  
corporation as soon as the same shall be organized.

SECT. II. *And be it further enacted by the authority aforesaid*  
That when fifty persons or more shall have subscribed one third  
of the shares aforesaid, the commissioners may, or when the  
whole number of shares aforesaid shall be subscribed, they  
shall certify under their hands and seals, the names of the subscribers  
and the number of shares subscribed by each to the  
Governor, and when the one third of the whole number of  
shares shall be subscribed, it shall and may be lawful for the  
Governor, by letters patent under his hand and the seal of the  
state, to create and erect the subscribers into one body politic  
and corporate, in deed and in law, by the name, style, and title  
of "The president, managers and company of the Harrisburg  
Lewistown, Huntingdon and Pittsburg, turnpike road," and  
the said name, the said subscribers shall have perpetual succe-

tion, and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding their said capital stock, and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing, taking and holding to them and their successors and assigns, and of selling, transferring, and conveying in fee simple, or for any less estate, all such lands, tenements, hereditaments, and estate, real and personal, as shall be necessary to them in the prosecution of their work, and of suing and being sued, and of doing all and every other matter and thing, which a corporation or body politic may lawfully do, and generally have all the powers, authorities and privileges, and all other powers, authorities, benefits and privileges, and be subject to all the duties, qualifications, restrictions, penalties, fines, and forfeitures, which are given and granted, or imposed upon the president, managers and company of the Harrisburg turnpike road, in the act passed the twenty-fourth of February, one thousand eight hundred and six, entitled "An act authorizing the Governor to incorporate a company for making an artificial road from the bank of the river Susquehanna, opposite the borough of Harrisburg to Pittsburg, except that the president, managers and company to be created by this act, shall not be required to erect, or cause to be erected, any bridge over the river Susquehanna, Juniata and Big Conemaugh, where the road crosses the said rivers.

Further powers, privileges, restrictions, &c.

Not compellable to erect Bridges over the Susquehanna, Juniata and Conemaugh.

**SIMON SNYDER, Speaker**  
*of the House of Representatives.*

**P. C. LANE, Speaker of the Senate.**

APPROVED—the fourth day of March, one thousand eight hundred and seven.

**THOMAS M'KEAN.**

## CHAPTER XXXIX.

*An ACT for the relief of Jeremiah Loughrey.*

**WHEREAS** it hath been represented to the legislature, that Jeremiah Loughrey of Westmoreland county, was early engaged in the military service in defence of his country, and continued in service during the war with Great Britain, and afterwards in defence of the frontiers of the western parts of this state against the Indians, where he received a wound in his shoulder, by which he is much disabled, and by reason of his

advanced age he is now rendered unable to gain a livelihood by manual labour : Therefore,

An annuity  
of 40 Dollars  
granted to  
J. Loughrey.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of forty dollars, be, and the same is hereby granted to Jeremiah Loughrey, immediately after the passing of this act, on a warrant drawn by the Governor on the State treasurer, and that an annuity of forty dollars be granted for the use of Jeremiah Loughrey, to be paid to Hugh Martin, esq. of Westmoreland county, his executor or executors, or his or their lawful attorney, to commence the first day of April, anno Domini one thousand eight hundred and seven, and paid half yearly to the said Hugh Martin, or his executor or executors, or his or their lawful attorney, on warrants drawn by the Governor on the State-treasurer, which annuity shall be expended by the said Hugh Martin, his executor or executors, in providing clothing and diet for the said Jeremiah Loughrey, and it shall be, and hereby is made the duty of the said Hugh Martin, his executor or executors, to make an annual return to the orphans' court of Westmoreland county, on oath or affirmation, how and in what manner he or they have executed the trust in him or them confided by this act.

SIMON SNYDER, *Speaker  
of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XL.

*An ACT to encourage the killing of Squirrels and Crows in certain parts of this Commonwealth.*

The commissioners of certain counties authorized to levy annually a limited sum to constitute a fund for encouraging the killing of squirrels and

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passing of this act, the county commissioners in the counties of Bedford, Washington, Westmoreland, Armstrong, Indiana, Fayette and Greene, respectively shall be, and they are hereby authorized and empowered to levy upon the taxable inhabitants in the said counties any sum of money not exceeding three hundred dollars in one year, in any of the said counties, when the number of squirrels and crows in their opinion shall make the same necessary, which sum shall

be levied, collected and paid unto the respective county treasurers at the same time, and in the same manner that county taxes are levied and collected, and shall be by them paid in the manner herein after directed; and the accounts shall be settled in the same manner as other county levies are.

SECT. II. *And be it further enacted by the authority aforesaid,* That when any person or persons shall kill any squirrels or crows in said counties, after the passing of this act (upon producing the scalps of the same to any justice of the peace, said justice is hereby required to receive the scalps then produced, and, in the presence of the deliverer, burn or otherwise destroy the same, and grant him or them a receipt for the number of scalps by him so received, which receipt shall be received in whole or in part for his or their county tax, at the rate of one cent and a half for each squirrel's scalp, and three cents for each crow's scalp, provided the said scalps be delivered before the first day of November, yearly.

Allowance for squirrels scalps and for crows scalps in justices certificates.

Scalps to be exhibited before the first of November annually.

SECT. III. *And be it further enacted by the authority aforesaid,* That any person or persons producing such certificate or certificates as aforesaid, to the treasurer of his or their proper county or counties, the said treasurer or treasurers shall pay the said person or persons the amount of such certificate, out of the money collected for that purpose, and take a receipt on the back thereof for the sum paid as aforesaid.

Said certificates receivable in payment of taxes.

SECT. IV. *And be it further enacted by the authority aforesaid,* That so much of any former act or acts of the General Assembly of this Commonwealth, as is hereby altered or supplied, be, and the same is hereby repealed.

Repealing clause.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XLI.

A SUPPLEMENT to the act, entitled “An act to provide for the erection of a house for the employment and support of the poor in the county of Dauphin.”

WHEREAS it has been represented to the legislature, that the place fixed on for the erection of a house for the employment and support of the poor in the county of Dauphin, is very ineligible, that the soil of the land is gravelly and barren, and that its local situation, with regard to the population of the

county, and its great distance from any market town where supplies might be procured, or the produce of the farm sold, when reared, renders it highly improper to cause the necessary buildings to be thereon erected : Therefore,

A former site for a poor house in Dauphin county to be sold and another purchased.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors chosen in pursuance of an act to which this is a supplement, shall be, and they are hereby authorized to sell and convey all the right, title and interest, which the county of Dauphin have in the plantation or tract of land contracted for by the commissioners named in the act aforesaid, or make such compromise with the person from whom the plantation or tract of land was purchased as shall appear most advantageous to the county, and purchase such other plantation or tract of land as to them or a majority of them may appear eligible, having due regard to soil and water, and shall cause the necessary buildings to be erected thereon for the employment and support of the poor in the county of Dauphin.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

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## CHAPTER XLII.

*An ACT granting to Joseph Salmon a tract of Donation Land, in remuneration for his services and sufferings during the revolutionary war.*

**W**HEREAS it appears that Joseph Salmon, late a captain in Colonel James Murray's regiment of Northumberland county militia, whilst in the service of his country during the revolutionary war, was taken prisoner by the Indians, and detained in captivity upwards of two years, during which time his then infant family solely dependant on his labour for support, was left destitute, and himself treated with all the rigour incident to savage warfare, and it also appearing that he hath not received from his country any compensation for his services and sufferings : Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,*

and it is hereby enacted by the authority of the same, That there is granted to the said Joseph Salmon a tract of donation land to contain three hundred acres, for which a patent shall be made to him, his heirs or assigns in the usual manner.

A tract of  
Donation  
land granted  
to J. Salmon.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LXIII.

### *An ACT for the relief of Gaspar Driver.*

[T]is honourable to the government of a free people to compensate those who have faithfully served it in trying times, and to provide for the necessities of men who have assisted in the glorious revolution, and have been disabled by wounds received in defence of their country's rights, and as it manifestly appears to the legislature, that Gaspar Driver was a soldier in Colonel Wayne's regiment, that at the battle of the Three Rivers in Canada, he received two wounds, one from a ball passing through his arm, and the other from a bayonet passing through his thigh, that at the same time he was made a prisoner, and remained a prisoner for a considerable length of time, that after exchange, though disabled from the wounds aforesaid, yet he enlisted again into the regiment commanded by Colonel Hampton in the Pennsylvania line, for and during the war, and continued in the service until the termination thereof; that from his sufferings, hardships and the effects of his wounds, he is not able to maintain himself and family: Therefore in discharge of most grateful duty,

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the Governor be, and he is hereby authorized to draw his warrant on the State-treasurer, in favour of Gaspar Driver, for the sum of forty dollars, which shall be paid out of any unappropriated monies in the treasury, and that an annuity of forty dollars be granted for the use of Gaspar Driver, to be paid to Francis McClure, or his executor or executors, administrator or administrators, or his or their lawful attorney, to commence from the first day of January, anno Domini one thousand eight hundred and seven, and to be paid half-yearly to the said Francis McClure, or his executor or executors, administrator or administrators, or

An annuity  
of 40 Dol-  
lars, gran-  
ted to G,  
Driver.

to his or their lawful attorney, on warrants to be drawn by the Governor on the State-treasurer, which annuity shall be expended by the said Francis McClure, his executor or executors, administrator or administrators, or his or their lawful attorney in providing clothing, diet and lodging, for the said Gaspar Drive and it shall and hereby is made the duty of the said Francis McClure, his executor or executors, administrator or administrators, or his or their attorney, to make an annual return to the orphans' court of Allegheny county, on oath or affirmation, how and in what manner he or they have executed the trust in him or them confided by this act.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

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## CHAPTER XLIV.

*An ACT to enable Abraham Reist and Jacob Hostetter to sell and convey a certain lot of ground therein mentioned.*

WHEREAS it is represented to the legislature, that John Metzler, late of the town of Manheim in the county of Lancaster, lately died intestate, seized in his demesne as of fee at the time of his death, of and in a certain lot or piece of ground, situate, lying, and being in the said town of Manheim containing in front on Prussian-street, fifty-seven feet, and depth to Wolf-street, two hundred and seventy feet, bounded on the south by a lot of Samuel Ensminger, on the east by Wolf-street, on the north by High-street, and on the west by Prussian-street, on which lot of ground a small brick barn was erected: That the said John Metzler left a widow named Elizabeth, and issue four children, viz. Jacob, John, Elizabeth and Ann, who are all minors: That the said lot of ground will not admit of a division among the said widow and children; that it is unproductive and going to decay for want of necessary repairs, and that it would be for the interest of the family of the said intestate, if the administrators were enabled by law to sell and convey the said lot of ground, with the appurtenance, and to apply the proceeds thereof for the benefit of the widow and the maintenance and education of the said minor children. Therefore,

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met*

*and it is hereby enacted by the authority of the same, That Abraham Hostetter, administrators of all and singular goods and chattels, rights and credits, which were of John Metzler, late of the town of Manheim in the county of Lancaster, deceased, be, and they are hereby authorized to sell at public vendue, to the best and highest bidder, and for the best and highest price which shall be bidden for the same, all that lot of ground in the town of Manheim, with the appurtenance hereinbefore particularly described and set forth, late the estate of the said John Metzler, deceased, and for such estate and interest as the said John Metzler had and held therein, at the time of his decease, and on the payment of the purchase-money therefor to convey the same to the purchaser or purchasers thereof, as fully and amply as the said John Metzler might or could have done in his life-time: And upon receipt of the said purchase-money, the said administrators shall vest one third part thereof in some productive fund, either by mortgage, or in the purchase of stock, and shall apply the interest thereof to the use of the said widow during her natural life, and upon her decease shall distribute the said one third part to and among the said children, or their legal representatives, according to the course of distribution under the intestate laws of this commonwealth: and the said administrators shall apply the remaining two third parts of the said purchase-money, either by vesting the same at interest as aforesaid, or may otherwise expend the same as may be most expedient and most beneficial for the purpose of maintaining and educating the said minor children, and shall distribute the surplus according to the course aforesaid: And the said administrators shall settle their accounts of the expenditure and appropriation of the said purchase-money before the Register and Orphans' court of the county of Lancaster, and shall be subject to the like orders of the said court touching the same, as if the same had been personal estate at the time of the death of the said John Metzler, except as to the objects and the mode of expenditure thereof as authorized by this act: *Provided nevertheless, That before the said administrators proceed to execute the duties herein intrusted to them, they shall enter into bond with sufficient sureties to the Register of Wills, &c. of Lancaster county for their faithful performance thereof.**

The administrators of John Metzler, empowered to sell at public vendue, a lot of ground in the town of Manheim in the county of Lancaster late the property of said Metzler.

How the purchase money is to be disposed of.

Administrators to settle their accounts, with the Register and Orphans' court of Lancaster county.

To give bond and sureties.

**SIMON SNYDER,** *Speaker*  
*of the House of Representatives.*

**P. C. LANE,** *Speaker of the Senate.*

**PROVED**—the fourth day of March, one thousand eight hundred and seven.

**THOMAS M'KEAN.**



## CHAPTER XLV.

*An ACT establishing and confirming the place for holding the court of Justice in the county district of Potter.*

**W**HEREAS in conformity with the provisions contained in the ninth section of the act, entitled "An act to erect parts of Lycoming, Huntingdon and Somerset counties into separate county districts," passed March sixth, one thousand eight hundred and four, Sampson Crawford, Hugh White, and Robert McClure, trustees appointed for the county district of Potter, have transmitted to the General Assembly proposals by them received from John Keating, in his own name and on behalf of Richard Gernon and John S. Roulet, and it appears that the said John Keating, Richard Gernon, and John S. Roulet, have caused a town to be laid out at the forks of Allegheny river in the said county, on a group of ninety acres of land, to be hereafter called and known by the name of Coudersport, two thirds whereof they have offered to convey to the said trustees, exclusive of a square for the erection of public buildings, and a square for the use of an academy or public school, which are to be conveyed for the use of the said county, and have also offered to convey one hundred and fifty acres of land near the said town for the use and support of an academy or public school, and to pay to the said trustees the sum of five hundred dollars towards the expence of erecting a suitable building for such academy or public school, and have executed and filed a bond in the office of the Secretary of the commonwealth, for the faithful performance of the engagements above-mentioned, and it will be advantageous to the said county district to accept thereof: Therefore,

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the seat of Justice for the county district of Potter shall be, and the same hereby is established and confirmed at the town of Coudersport in the county of Potter, and it shall be the duty of the trustees of the said county district to demand and receive from John Keating, Richard Gernon, and John S. Roulet, a sufficient deed or deeds in fee simple in trust to them for the use of said county, two thirds of the town lots in the said town of Coudersport free of any expence for surveying and laying out the same, and for two public squares in said town, one whereof shall be and is hereby for ever appropriated for the purpose of erecting thereon the public buildings for the use of the said county, and the other for the use of an academy or public school in the said town, and also for one hundred and fifty acres of land near the said town for the use and support of an academy or public school, and to pay to the said trustees the sum of five hundred dollars towards the expence of erecting a suitable building for such academy or public school, and have executed and filed a bond in the office of the Secretary of the commonwealth, for the faithful performance of the engagements above-mentioned, and it will be advantageous to the said county district to accept thereof: Therefore,*

*Coudersport made the seat of Justice for Potter county.*

*The trustees of said county district to demand and receive from John Keating &c. deeds in fee simple, for the use of the county, for two thirds of the*

of land to be laid off in a regular plot from the tract of land on which the said town is situate, to be selected and chosen by the said trustees, which shall be and is hereby for ever appropriated to the use of an academy or public school for said county, and also to demand and receive from the said John Keating the sum of five hundred dollars for the purpose of erecting a suitable building for the use of the said academy or public school, or sufficient security for the payment thereof in a reasonable time: And the said trustees shall procure the said deed or deeds to be recorded in the office for recording deeds in the county of Lycoming; and the said trustees or a majority of them are hereby authorized to sell and dispose of the lots aforesaid, in such manner as will be most for the benefit of the county, and to make and execute deeds to the purchasers, and the monies arising from such sales shall be by them held and reserved for the use and benefit of Potter county, subject to the disposal of the commissioners of Potter county when the choosing or electing such commissioners shall or may be authorized by law: *Provided always*, That nothing in this act contained shall have any force or effect in law, unless John Keating, Richard Ger-son, and John S. Roulet, shall first execute and deliver to the trustees aforesaid, such deed or deeds for the lots and lands aforesaid, and fully perform all his engagements as aforesaid.

SECT. II. *And be it further enacted by the authority aforesaid*, That the aforesaid trustees shall each receive one dollar and thirty-three cents for every day they shall be employed in the performance of the duties of the aforesaid trust, which shall be paid by the treasurer of Lycoming county on orders from the commissioners of said county, out of the taxes levied in the county district of Potter.

SECT. III. *And be it further enacted by the authority aforesaid*, That the trustees aforesaid, or a majority of them shall within six months from and after the courts of law and board of commissioners shall have been established and opened by law, in and for said county, surrender and convey to the said commissioners and their successors in office, in trust for the use of the county all the trust and trusts vested in them or a majority of them by this act, and the said commissioners of the county are hereby empowered and required to do and perform the several duties which may remain to be done, and the said county commissioners shall have power, and it shall be their duty to call upon and if necessary compel the aforesaid trustees or either of them by suit, to settle their accounts and pay over to the treasurer of the county any monies which may remain in their hands or in the hands of either of them due to the county of Potter from the sale of the town lots aforesaid.

And also for 250 acres of land.

And five hundred dollars, for the use of said public school.

Deeds to be recorded in recorder's office, of Lycoming county.

Trustees authorized to dispose of the aforesaid lots, and to execute deeds therefor to the purchasers.

The monies arising to be reserved for the use of Potter county.

Nothing in this act to have effect till the engagements on the part of J. Keating, &c. are fulfilled.

Compensation to the Trustees for their services.

When the Trustees are to surrender the trusts confided to them to the county commissioners.

Powers and duties of the commissioners.

A survey of the town &c. to be filed in the recorder's office of Lycoming county, or Potter county.

SECT. IV. *And be it further enacted by the authority aforesaid* That the said trustees shall as soon as may be, file a draught a return of the survey of the said town and one hundred and five acres of land, together with their proceedings under and by virtue of this act, in the office of the Recorder of deeds in and for the county of Lycoming, or in the said office for the county of Potter, if such office be then established by law.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the eleventh day of March, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XLVI.

*An ACT to provide for the erection of a house for the employment and support of the poor in the county of Franklin.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same* That a house for the employment and support of the poor shall be erected in the county of Franklin, in the manner and under the conditions hereinafter prescribed and enacted.

House of employment, &c. to be erected,

Five citizens to be elected, who are to fix on a site therefor.

Also three persons to be directors of the poor, &c.

Notice to be given to the first mentioned citizens and

SECT. II. *And be it further enacted by the authority aforesaid* That the citizens of the said county of Franklin, shall at the general election next ensuing the passing of this act, in the manner prescribed for the election of members of the House of Representatives of this commonwealth, elect five reputable citizens of the said county, whose duty it shall be on or before the first day of December next, to determine upon and fix the place on which the said buildings shall be erected, and shall certify their proceedings therein under their hands and seals to the Clerk of the court of quarter sessions of the county of Franklin, to be filed in his office, and also elect three reputable citizens of the said county in like manner to be directors of the poor and of the house of employment for the county of Franklin, and the judges of election of the said county on receiving the returns from the several election districts, and having ascertained the number of votes therein, shall within three days thereafter certify under their hands and seals the names of the persons so elected to fix on a proper site for the said buildings and the names of the directors so chosen to the clerk of the court of quarter sessions of the said county, who shall file the said certificate in his office, and forthwith give notice in writing

to the said persons and directors of their being elected, and the said directors shall meet at the court-house in the said county on the first Monday in November next ensuing their election, and divide themselves by lot into three classes, the place of the first to be vacated at the expiration of the first year, of the second at the expiration of the second year, and of the third at the expiration of the third year, so that those who shall be chosen after the first election and in the mode above prescribed, may serve for three years, and one third to be chosen annually.

to the director of their elections, respectively.

Directors to meet and divide themselves into three classes. When the terms of the respective classes are to end.

SECT. III. *And be it further enacted by the authority aforesaid,* That every director elected in manner aforesaid, or appointed as is directed by the twelfth section of this act, shall within ten days after he is notified of such election or appointment, and before he enters on the duties of the office, take an oath or affirmation which any justice of the peace of the said county is hereby authorized to administer, that he will discharge the office of director of the poor for the said county, truly, faithfully and impartially to the best of his knowledge and ability: And in case of neglect or refusal to take the oath or affirmation within the time aforesaid, he shall forfeit and pay the sum of twenty dollars for the use of the poor of the said county, which fine shall be recovered by the directors for the time being, as debts of equal amount are or shall be by law recoverable.

Directors chosen, to fill vacancies to take an oath of office. &c.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the said directors shall for ever hereafter in name and in fact be one body politic and corporate in law to all intents and purposes, whatsoever relating to the poor of the said county of Franklin, and shall have perpetual succession, and may sue and be sued, plead and be impleaded by the name, style and title of "The Directors of the Poor and of the House of Employment for the county of Franklin," and by that name may receive, take and hold any lands, tenements and hereditaments not exceeding the yearly value of five thousand dollars, and any goods and chattels whatsoever of the gift, alienation or bequest of any person or persons whomsoever, to purchase, take and hold any lands and tenements within their county in fee simple or otherwise, and erect suitable buildings thereon for the reception, use and accommodation of the poor of their respective townships, to provide all things necessary for the reception, lodging, maintenance and employment of the said poor, to appoint a treasurer annually, who shall give bond with sufficient surety for the faithful discharge of the duties of his office, and that at the expiration thereof he will well and truly pay and deliver over to his successor, all monies, bonds, notes, books, accounts and other papers to the said corporation belonging, which shall then be remaining in his hands, custody and possession, to employ and at pleasure remove a steward or stewards, matron or matrons,

The directors incorporated.

Style of the corporation. Its immunities & powers.

May appoint a Treasurer of the corporation; his qualification.

Employ stewards, &c.

Bind out ap-  
prentices.

Use one com-  
mon seal, &c.

Estimate to be  
made of the  
expence of e-  
recting the  
buildings,  
&c.

How the same  
is to be raised.

Directors to  
exhibit annu-  
ally an esti-  
mate of the  
probable ex-  
pences, for one  
year, &c.

To render  
an annual ac-  
count of the  
monies re-  
ceived and ex-  
pended by  
them ;

further duties  
of the Trus-  
tees.

physician or physicians, surgeon or surgeons, and all other necessary attendants for the said poor respectively, to bind out as apprentices, so that such apprenticeship may expire if males, at or before the age of twenty-one years, if females at or before the age of eighteen, such poor children as shall come under their notice, or as may now be bound apprentices by the overseers of the poor, and to exercise and enjoy all such other powers now vested in the overseers of the poor, as are not herein granted or supplied, and the said directors shall be empowered to use one common seal in all business relating to the said corporation, and the same at their pleasure to alter or renew.

SECT. V. *And be it further enacted by the authority aforesaid,* That the said directors as soon as may be, after their election and organization, as aforesaid, shall make an estimate of the probable expence of purchasing the lands, erecting the necessary buildings, and furnishing the same, and maintaining the poor within the said county for one year; whereupon the county commissioners of the said county, shall, and they are hereby authorized and required to increase the county tax by one-fourth part of the sum necessary for the purposes aforesaid, and shall procure on loan on the credit of the taxes herein directed to be levied, the remaining three-fourths thereof, to be repaid in instalments with interest out of the county taxes: *Provided always,* That if such loan cannot be made, the whole amount of the sum necessary for the purposes aforesaid, or such part thereof as may be deemed proper, shall immediately be added to the county tax, to be paid by the county treasurer to the directors aforesaid, on orders drawn in their favour by the county commissioners, as the same may be found necessary.

SECT. VI. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said directors, on or before the first day of November, in each and every year, to furnish the commissioners of said county with a statement of the probable expense of the said poor, and poor-house, for one year; the amount of which statement shall be assessed and collected with other county rates and levies, and paid by the county treasurer to the directors aforesaid, on orders drawn in their favour by the county commissioners, as the same may be found necessary; and the said directors shall at least once in every year, render an account of all the monies by them received and expended, to the auditors appointed to audit and settle the county accounts, subject to the same penalties, rules and regulations, as are by law directed respecting the accounts of the county commissioners, and shall also at least once in every year, lay before the court of quarter sessions, and grand jury of the said county, a list of the number, ages and sexes of the persons maintained and employed in the said house of employment, or supported or assisted by them elsewhere, and of the children by them bound out to appren-

ships as aforesaid, with the names of the masters or mistresses, and their trade, occupation or calling; and shall at all times when thereunto required, submit to the inspection and free examination of such visitors as shall from time to time, be appointed by the court of quarter sessions of the said county, all their books and accounts, together with the rents, interests and monies, payable and receivable by the said corporation, and also an account of all sales, purchases, donations, devises and bequests, as shall have been made by or to them.

SECT. VII. *And be it further enacted by the authority aforesaid,* when and how the poor are to be removed to the building erected in pursuance of this act.  
That as soon as the said buildings shall be erected, and all necessary accommodations provided therein, notices shall be sent signed by any two of the said directors, to the overseers of the several townships of the said county of Franklin, requiring them forthwith to bring the poor of their respective townships to the said house of employment, which order the said overseers are hereby enjoined, and required to comply with, or otherwise to forfeit the cost of all future maintenance; except in cases when by sickness, or other sufficient cause, any poor person cannot be removed, in which case the said overseers shall represent the same to the nearest justice of the peace, who, being satisfied of the truth thereof shall certify the same to the said directors, and at the same time issue an order under his hand and seal, to the said overseers, directing them to maintain such poor, until such time as he, or she, shall be in a situation to be removed, then to convey the said pauper and deliver him, or her, to the steward or keeper of the said house of employment, together with the said order, and the charge and expense of such temporary relief, and of such removal shall be paid by the said directors at a reasonable allowance.

Exception as to the sick, and how they are to be provided for.

SECT. VIII. *And be it further enacted by the authority aforesaid,* Directors required to receive, provide for, and employ the poor.  
That the said directors shall from time to time, receive, provide for and employ, according to the true intent and meaning of this act, all such poor and indigent persons as shall be entitled to relief, or shall have gained a legal settlement in the said county of Franklin, and shall be sent there by an order or warrant for that purpose, under the hands and seals of any two justices of the peace, directed to any constable of the said county of Franklin, or to the overseers of the proper township in any other county of this Commonwealth, or constable in such counties as have no overseers, and to the said directors of the poor, and of the house of employment of the said county of Franklin, and the said directors are hereby authorized, when they shall deem it proper and convenient so to do, to permit any poor person or persons to be maintained elsewhere.

SECT. IX. *And be it further enacted by the authority aforesaid,* Power of the directors to make rules and regulations, &c.  
That the said directors, or any two of them, who shall be a quorum in all cases to do business, shall have full power to make

and ordain all such ordinances, rules and regulations, as they shall think proper, convenient and necessary, for the direction government and support of the poor and house of employment aforesaid, and of the revenues thereunto belonging, and of all such persons as shall come under their care or cognizance: *Provided*, That the same be not repugnant to this law or any other laws of this state or of the United States: *And provided also*, That the same shall not have any force or effect until they shall have been submitted to the court of common pleas for the time being, of the said county of Franklin, and shall have received the approbation of the said court.

A committee of the directors to visit the apartments of the poor, monthly &c.

SECT. X. *And be it further enacted by the authority aforesaid* That a committee consisting of at least two of the said directors shall and they are hereby enjoined and required to meet at the said house of employment at least once in every month, and visit the apartments and see that the poor are comfortably supported and hear all complaints and redress or cause to be redressed, grievances which may happen by the neglect or misconduct of all persons in their employment or otherwise.

Compensation of the directors.

SECT. XI. *And be it further enacted by the authority aforesaid* That the said directors shall each of them receive for their services forty dollars per annum, to defray the expences of the necessary attendance on the duties of their offices.

How vacancies in the direction are to be supplied.

SECT. XII. *And be it further enacted by the authority aforesaid* That in case of any vacancy or vacancies by death, resignation, removal, neglect, refusal or otherwise, of any of the said directors, a majority of the remaining directors shall fill such vacancy or vacancies by appointment of a citizen of their said county to serve until the next general election, when another director shall be elected to serve for the period which such director was to have served if no such vacancy had happened.

When and how the monies in the hands of the overseers of the poor are to be disposed of.

SECT. XIII. *And be it further enacted by the authority aforesaid* That as soon as the poor of the county of Franklin shall be removed to the house of employment of the said county, and the overseers then in office have settled their official accounts with the auditors of the respective townships, (annually elected for that purpose) it shall be the duty of the said overseers to pay over all the monies remaining in their hands to the supervisors of their respective townships, to be by them applied towards the repairing of the public roads therein, and the office of overseer of the poor within the said county shall from thenceforth be abolished, and all monies arising from fines, trespassing cures, &c. that by the existing laws are directed to be paid to the overseers of the poor, shall from that time be paid to the supervisors of the roads within the respective townships to be expended and accounted for by them in the same manner as other township monies are directed to be.

And the office of overseer of the poor abolished.

SECT. XIV. *And be it further enacted by the authority aforesaid,*  
That so much of the laws of this commonwealth relating to the  
poor as is by this act altered or supplied, be and the same is  
hereby repealed. Repeal of laws  
hereby suppli-  
ed.

SECT. XV. *And be it further enacted by the authority aforesaid,*  
That the commissioners of the said county are hereby authorized  
and empowered to pay to the persons who may be elected or  
appointed by virtue of this act, to fix the place where the build-  
ings for the accommodation of the poor in said county shall be  
erected, such sums of money as will be sufficient to reimburse  
them for their expences, and also to pay to each of the said  
directors such sum of money as (together with the annual sum  
allowed them by this act) may be in the opinion of the commis-  
sioners a reasonable compensation for their services during the  
time they are carrying on and erecting the buildings aforesaid :  
*Provided,* The said buildings shall be completed within four  
years from the passing of this act. Compensa-  
tion to the per-  
sons appointed  
to fix the site  
for the poor  
house.  
  
And to the di-  
rectors for their  
special atten-  
dance while  
the buildings  
are erecting.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the eleventh day of March, in the year of our Lord,  
one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XLVII.

An ACT *granting a sum of money to the Trustees of the Reading Academy for the use of the said Academy.*

SECTION I. *BE it enacted by the Senate and House of Represen-  
tatives of the Commonwealth of Pennsylvania, in  
General Assembly met, and it is hereby enacted by the authority of the*  
same, That the sum of two thousand dollars be and the same is  
hereby granted to the trustees of Reading academy, to assist and  
enable them to erect a suitable building for the said academy or  
public school, to be paid by a warrant to be drawn by the Go-  
vernor on the State-treasurer out of any unappropriated money  
in the treasury. 2000 dollars  
granted to  
Reading Aca-  
demy.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the eleventh day of March, in the year of our Lord,  
one thousand eight hundred and seven.

THOMAS M'KEAN.



## CHAPTER XLVIII.

*An ACT to enable Thomas Alleson and Samuel Agnew to sell and convey certain lands therein mentioned.*

**W**HEREAS John Alleson late of Washington county, deceased, died seized of a certain tract of land, containing two hundred and sixty acres, situate in the county aforesaid and by his last will and testament, devised one third thereof to his wife Jane Alleson for the term of her natural life, one hundred acres thereof to his son James Alleson for the term of his natural life, and the residue thereof to his other children : And whereas from the situation of the said property, and from the condition of the said James Alleson who is both deaf and dumb, the management of the same is deficient and unprofitable to the parties, the repairs thereof consuming the greater portion of the rents : And whereas Jane Alleson, the widow aforesaid, Archibald Alleson, Thomas Alleson, Hugh Alleson, and Gawin Alleson, children of the said John Alleson, and Samuel Agnew, guardian of the minor children of John Alleson, junior, deceased, one other of the children John Alleson the testator, have prayed the legislature to authorize the sale of the said property : Therefore,

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for Thomas Alleson and Samuel Agnew of Washington county, to sell and convey all the right title and estate which the said John Alleson of the same county had at the time of his decease, in a certain tract of land in the county aforesaid, containing two hundred and sixty acres with the appurtenances, either by public or private sale, for the best price that can be obtained for the same, and to do all acts necessary for carrying into effect the powers given by this act, as fully and effectually as the said John Alleson might have done, or could do in his life-time, the proceeds of which sale shall go in the same manner and proportions, and for the same estate, to the same persons as the said tract of land is directed by the last will and testament of the said John Alleson ; that is to say, they shall vest the proceeds of sale in some productive stock, or mortgage on real estate, and shall pay the nett proceeds or interest of one third part thereof to Jane Alleson, during her natural life, and the nett proceeds of one hundred acres thereof to the support of James Alleson during his natural life, and from and after the decease of the said Jane and James respectively, to distribute the same as is directed by the said testament and last will : *Provided,* That the said Thomas Alleson and Samuel Agnew, before they proceed to sell and convey the same, shall give

Thomas Alleson and Samuel Agnew of Washington county, empowered to sell and convey a tract of land in said county, late the property of John Alleson deceased.

How the proceeds are to be disposed of.

Said J. Alleson and S. Agnew, before they proceed to sell, to give and &c.

bonds with sufficient surety to be approved by the judges of the orphans' court, for the faithful performance of their respective trusts in this behalf, and for the due application of the money arising from such sale agreeably to the directions of this act.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the eleventh day of March, in the year of our Lord,  
one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XLIX.

*An ACT to enable James Maris and Samuel Davis, administrators to the estate of Thomas West, deceased, to sell and convey certain real estate therein mentioned.*

WHEREAS it hath been represented to the legislature, that Thomas West, late of the township of Ridley in the county of Delaware, died intestate, seized of a messuage, plantation, and tract of land in the township of Ridley aforesaid, leaving a mother and widow, each entitled to a dower therein, and six minor children; that there are not sufficient assets to pay his debts and provide for the education of his children, and that it would be for the benefit of the said children to sell the same and place the proceeds in some productive fund: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly*

*as, and it is hereby enacted by the authority of the same,* That James Maris, and Samuel Davis, administrators to the estate of Thomas West, late of the township of Ridley in the county of Delaware, deceased, are hereby empowered to sell and convey for the highest and best price that can be had for the same, at public or private sale, all that messuage, plantation and tract of land, situated in the township of Ridley in the county of Delaware, bounded by land of William Brown, Curtis Lowns, George Davis, Cyrus Newlin, George Warner, and Esther and John Thompson, containing about ninety-seven acres, and make such deed or other conveyance as shall sufficiently secure to the purchaser or purchasers all the right, title and interest, which the said Thomas West in his life time, and at the time of his decease had, in and to the same and every part thereof, and that the money arising from such sale be appropriated as follows; first to the payment of all legal demands against the estate of the said Thomas West, deceased, and the residue shall be by the administrators

The administrators of Thomas West, late of Delaware county, deceased, empowered to sell and convey a tract of land, late the property of said Thomas West.

How the purchase money is to be applied.

atoresaid, placed out at interest on good real security for the benefit of the heirs respectively, agreeably to the intestate laws of this commonwealth.

Said administrators to give security, &c. before they proceed to sell, &c.

SECT. II. *And be it further enacted by the authority aforesaid* That the said James Maris and Samuel Davis, do before they proceed to sell and convey the said messuage, plantation and tract of land, enter into recognizance with sufficient security before the orphans' court for the county of Delaware, for the faithful performance of the duties and powers hereby granted: *And provided always*, That the legal rights of all other persons shall be and they are hereby saved and reserved, and shall remain as fully and effectually as if this act had never been passed.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the eleventh day of March, in the year of our Lord one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER L.

*An ACT to incorporate the Philadelphia Society for the encouragement of domestic manufactures.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same*, That all and every the persons who shall at the time of the passing of this act, be members of the Philadelphia society for the encouragement of domestic manufactures, and proprietors of the capital stock thereof, shall be, and they are hereby created and declared to be one body politic and corporate, by the name and style and title of "THE PHILADELPHIA DOMESTIC SOCIETY," and by the same name shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record or elsewhere, and to purchase, receive, have hold and enjoy to them and their successors any property of what nature, kind or quality soever, real, personal, or mixed or choses in action, and the same from time to time to sell, grant, demise, alien or dispose of: *Provided*, The clear yearly income of said real estate shall not at any time exceed the sum of five thousand dollars, and also to make and have a common seal, and the same to break, alter and renew at pleasure, and also, to ordain, establish, and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to

The society incorporated.

Style of the corporation.

Its immunities and powers.

Income limited.

To have a common seal and power to alter and renew it.

the constitution or laws of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well-being of the said corporation, and the due managing and ordering the affairs thereof.

Power to make and enforce by-laws &c.

SECT. II. *And be it further enacted by the authority aforesaid,* That all the joint stock and all the estate, real, personal and mixed, and all the securities, debts, dues, claims and demands, and all the records, deeds, books, papers, bonds, bills, notes, vouchers and other documents whatsoever, in anywise belonging to, or held and claimed by the said society at the time of the passing of this act, shall be vested in the said Philadelphia domestic society hereby created, as absolutely and completely to all intents and purposes as the same respectively now belong to, or are held and claimed by the said society or by their officers and agents for their use, and all contracts and other engagements, debts, obligations and assumptions whatsoever of the said society or association of citizens, entered into, made, subsisting, due and payable, or to grow due and payable at the time of the passing of this act, shall thenceforth become and be as obligatory and binding upon the said incorporation of the Philadelphia domestic society hereby created, to all intents and purposes as if the same respectively had been entered into, made and contracted by the said company subsequent to the incorporation thereof, and all contracts, grants and obligations whatever, wherein or whereby any person or persons now are held or bound to the payment of any monies or the performance of any act, matter or thing whatever to the said society or association of citizens, shall be, and are hereby declared to be due and payable to and vested in the said corporation, and it shall be lawful for the said corporation and for the parties who have as aforesaid contracted with the aforesaid association of citizens respectively to maintain actions, and otherwise enforce the due performance of all such contracts as fully as if the same had been originally made with the said corporation: *Provided always nevertheless,* That nothing herein contained shall in anywise be construed to impair or affect the obligation of any contract at any time entered into, by or with the said association of citizens.

All joint stock, estate and records, &c. held and claimed at the passing this act, vested in the society.

All previous contracts and other engagements debts &c. binding on the society.

And previous contracts, &c. with the society to be binding on individuals.

*Provided.*

SECT. III. *And be it further enacted by the authority aforesaid,* That the capital stock of the Philadelphia domestic society shall for the present consist of ten thousand dollars, to be divided into two hundred shares of fifty dollars each, but the capital stock may be increased from time to time whenever the board of directors shall think it for the benefit of the institution, and in such manner and on such terms as they shall ordain and determine: *Provided,* The amount of shares so subscribed shall always be fifty dollars each: *And provided also,* The capital stock

Amount of capital stock for the present how divided and power to increase it:

Each share to be 50 dollars:

And the capital stock at no time to exceed 100,000 dollars.

No one to be entitled to more than one vote.

The affairs of the society to be managed by 12 directors.

Who are to choose a President.

How vacancies are to be supplied and for what time.

Names of the present directors.

And how long to continue in office.

Of the votes for directors.

Proviso in case the elections are not held on the days prescribed.

Powers of the board of

so subscribed shall at no time exceed one hundred thousand dollars, independent of any property mortgaged, held or conveyed for the security or satisfaction of debts previously contracted in the course of its dealings or purchases, at sales upon judgments which shall have been obtained for such debts, and independent also of any lots or buildings which may by the said directors be deemed necessary to carry on or promote the objects of the institution; but no one shall be entitled to more than one vote notwithstanding any number of shares he may hold.

**SECT. IV.** *And be it further enacted by the authority aforesaid* That the affairs of the said society shall be managed and superintended by twelve directors, being stockholders, who at their first meeting after their election shall choose one of their number to be president, and in case of the death, resignation or otherwise of the president or any director, the vacancy shall be supplied by the board of directors for the remainder of the period only, during which such president or director was elected to serve, the directors shall be chosen by ballot, on the first Monday in February in every year hereafter, by a plurality of votes of the stockholders present or their proxies, being citizens of the United States, and none others shall be entitled to a vote or hold any office in this institution, which directors shall serve for one year next ensuing their election, and no longer: *Provided always* That Paul Cox, John Dorsey, Robert McMullin, William Mitchell, William Linnard, Henry Orth, Samuel Harvey, Samuel Williamson, William Y. Burch, Ebenezer Ferguson, Samuel Smith and Hugh Henry, shall be the present directors and shall continue in office until the first Monday in February next, and until others shall be chosen in their room: *And provided also*, That no stockholder shall be entitled to vote for directors, unless the stock shall have stood in his or her name at least sixty days immediately preceding such election: *And provided also*, That in case it shall at any time happen that an election of directors shall not be made upon any day when pursuant to this act it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved, but it shall and may be lawful on any other day within sixty days, to hold and make an election of directors in such manner as shall have been regulated by the by-laws and ordinances of the said corporation.

**SECT. V.** *And be it further enacted by the authority aforesaid*, That the board of directors shall be and are hereby empowered to appoint and compensate such officers, clerks and other persons as they may deem necessary, who shall hold their offices during the pleasure of the board, to regulate the affairs of the society generally, to make such advances, as the board may determine upon all manufactures made wholly or in part in America, particularly those of woolen, cotton or linen when

deposited in the company's warehouse, and pay the residue when sold, charging and deducting therefrom one per centum or less, for every sixty days during which the money may be loaned or remain in advance upon the goods, and such expences and commission as shall be affixed by the board of directors on effecting the sales; and if the articles so deposited remain on hand unsold beyond the time agreed or fixed upon by the parties, the board of directors are hereby authorized to have them sold at public sale to the highest bidder, by their officers or agents, at such place as the board may ordain, for and on account of the owners, and where public sales may be held as often as the board may ordain, and the nett proceeds shall be duly placed to the credit of the respective invoices or persons to which the several articles or property may belong, after first deducting the charges or expences attending the same, which shall not exceed five per centum: *Provided always*, That the owner or owners of any goods deposited in the warehouse, shall have the privilege of taking them away at any time prior to such sale or sales, first paying all charges against their respective invoices.

Proviso in favor of the owner of goods, &c.

SECT. VI. *And be it further enacted by the authority aforesaid*, That all advances or payments by the said company shall be made in specie or in notes of any incorporated bank, and the said company shall not have power or authority to issue any notes in the nature of bank or cash notes, or to become indorser in their corporate capacity in or upon any note or notes, inland or foreign bill or bills of exchange, or in any manner receive deposits of money, or discount any note or notes after the manner of any bank or banks, nor shall they be allowed to export any raw materials out of the United States.

All advances or payments by the company to be in specie or notes, &c.

Restrictions on the powers of the company.

SECT. VII. *And be it further enacted by the authority aforesaid*, That for the more effectual furtherance of the object of the society, there shall be held stated meetings of the board as often as may by them be thought necessary: *Provided*, That in all cases when any other than stated meetings are held, due notice shall be left at each director's place of abode of the time and place of holding the same; five members shall always be necessary to make a quorum to do business, a journal of the proceedings of the board shall be duly kept, the names of the members present entered, and if required by any one of the board, the yeas and nays shall be entered upon record, and also any director may, if he require it, have his dissent upon any question entered at large upon the journal, together with his reasons for the same, to which his signature shall be affixed: *Provided*, a copy of such dissent be presented to the board at that, or the succeeding stated meeting.

Stated meetings of the board to be held.

And notice of other meetings to be given.

Five members to constitute a quorum.

A journal of proceedings to be kept.

SECT. VIII. *And be it further enacted by the authority aforesaid*, That the board of directors shall in the months of January and

At what time dividends of

profits shall be declared and how paid.

Managers consenting to a greater dividend than warranted by actual profits to make good the loss, &c.

Shares of stock transferable at any time according to such rules as the directors may establish.

And certificates issued or renewed to applicants being holders of stock.

The board of directors may appoint committees to transact current business, &c.

Upon application the board of directors shall lay before the stockholders a general statement of the fund of the institution.

no director be securi-

June, or oftener if they think fit, declare a dividend of so much of the profits arising from the stock of the company as to them shall appear advisable, and such dividend shall be paid to the respective stockholders or their lawful representatives, at such places as the said board may appoint, within twenty days after declaring the same, but if at any time a greater dividend than the actual profits of the institution should be made, and the capital be thereby impaired, the managers consenting to such dividend, shall from their personal estates make good the loss which the capital has sustained in consequence thereof.

SECT. IX. *And be it further enacted by the authority aforesaid,* That the shares of the capital stock at any time, owned by any individual stockholder, shall be transferable according to such rules as the board of directors may from time to time ordain and establish, and certificates shall be issued or renewed to the respective applicants, being holders of stock, signed by the president and secretary, for all such shares on the payment in both cases, of twenty-five cents for each share; for the use of the company: *Provided always,* That no such transfer shall be made, or certificate given, until all or any debts due, or about becoming due and payable to the company from such holder of stock, either as principal or security, shall first be duly satisfied and discharged, unless the board of directors shall direct to the contrary: *And Provided also,* That nothing herein contained, shall effect or invalidate any transfer, regularly made and entered upon the books of the company, by the proper officer of the board.

SECT. X. *And be it further enacted by the authority aforesaid,* That for the more easy and convenient transaction of the business of the institution, the board of directors shall be empowered from time to time to appoint committees out of their own body, consisting of such numbers as the board may determine, which committee or committees shall be fully empowered to transact such current business as may come before them, subject always to the provisions of this act, and the orders and instructions of the board of directors.

SECT. XI. *And be it further enacted by the authority aforesaid,* That whenever a majority of the stockholders, either in numbers or amount of stock, shall make application in writing for a general statement of the fund of the institution, the board of directors shall within thirty days call a general meeting of the stockholders, and lay before them such statements as have been required, which may appear to the board compatible with the interests of the institution.

SECT. XII. *And be it further enacted by the authority aforesaid,* That no director shall be competent to be security for any of the officers or agents of the society, during the time he is a member

the board of directors of the said society: *Provided nevertheless* That nothing herein contained, shall in anywise invalidate any security heretofore given; any thing in this act to the contrary notwithstanding.

SECT. XIII. *And be it further enacted by the authority aforesaid,* That this act shall be, and continue in force for five years from the passing thereof and no longer: *Provided always,* That for the liquidation and settlement of all the past transactions and accounts of the said society, the corporate powers thereof shall be and continue effectual to all intents and purposes as specified in this act.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the eleventh day of March, in the year of our Lord one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LI.

*An ACT for the relief of James Smith.*

WHEREAS it has been represented that James Smith of Lycoming county, a private soldier in captain James Murry's company of the flying camp, was taken prisoner at Washington the sixteenth of November, one thousand seven hundred and seventy six, and remained in confinement until March following, when he was liberated, but owing to sickness and debility, did not reach his home until one month after, and he has never received any pay or compensation for his services and sufferings during the aforesaid term: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,* That it is hereby enacted by the authority of the same, That the treasurer of this commonwealth be, and he is hereby directed to pay to James Smith of Lycoming county, or his legal attorney, the sum of one hundred dollars, on a warrant drawn by the Governor in the usual manner, as a consideration in full for his services and sufferings whilst a prisoner, in the late revolutionary war with Great Britain.

Grant in favour of J. Smith.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the eleventh day of March, in the year of our Lord one thousand eight hundred and seven.

THOMAS M'KEAN.



## CHAPTER LII.

*An ACT granting two thousand dollars to the commissioners of Erie county for the purpose of erecting public buildings for the use of said county.*

Grant of  
2000 dollars  
for erecting  
public build-  
ings in Erie  
county.

And pro-  
ceeds of  
sales of town  
and out lots  
at Erie ap-  
propriated  
for payment.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same* That the sum of two thousand dollars be, and the same is heretofore granted to the commissioners of the county of Erie, to be by them applied to the erection of public buildings for the use of said county, to be paid out of the monies arising from the sales of the town and out-lots belonging to the Commonwealth, and adjoining the town of Erie in the county aforesaid.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the sixteenth day of March, in the year of our Lord one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LIII.

*An ACT to regulate the Fisheries in the river Susquehanna and its Branches.*

Penalty on  
persons  
drawing a  
seine, &c.  
between the  
hours of six  
on the after-  
noon of Sat-  
urday, and  
the hour of  
five in the  
morning of  
Monday fol-  
lowing.

And on per-  
sons using  
more than  
one seine or  
net in 24  
hours in any  
fine pool or  
fishing place.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same* That from and after the passing of this act, no person or persons shall cast or draw any seine, scoop net, brush, or brush net, or make use of any driver or other device for the purpose of taking or catching fish in the river Susquehanna, or any of its branches which have by law been declared public highways, between the hours of six on the afternoon of Saturday, and the hour of five in the morning of the Monday following, and no person or persons shall make use of, cast or draw more than one seine, net or driver, or other device for the taking or catching of fish in any one pool or fishing-place in the said river or its branches as aforesaid, within this commonwealth, and not more than one seine, net, driver or device for the taking or catching of fish, shall be made use of, cast or drawn in any one pool or fishing-place in the said river or its branches, within any period of twenty-four hours, beginning at sun-rising in the morning and continuing

ing until sun-rising on the day following, and any person or persons who shall cast or draw any seine or net, or make use of any driver or other device for the purpose of taking or catching fish, or making use of, or permit to be used more than one seine, net, driver or device in any one pool or fishing-place, shall be aiding or assisting therein contrary to the true intent and meaning of this act; such persons so offending, and thereof being lawfully convicted, shall forfeit and pay the sum of one hundred and fifty dollars for each and every such offence, with costs of prosecution, one half thereof to be paid by the owner or owners of the seine, and the other half by the men so fishing: *Provided always*, That any person or persons may fish with hoop-nets and hooks and lines, any thing in this act to the contrary notwithstanding.

Fishing with hoop-nets, and hooks and lines not prohibited.

SECT. II. *And be it further enacted by the authority aforesaid*, That if any person or persons shall make use of any device by means of ropes, cords, plank, timber, boards, shingles, brush, straw or stones, or shall throw up any banks of sand, or other earth in the river Susquehanna or its branches, or in any manner whatever, make use of any craft, contrivance or design to confine fish to, at, or in any pool or fishing-place, or to prevent the free passage of fish, or by means of any kind of drug, shall destroy the fish in the said river or its branches as aforesaid, each person so offending, or aiding or assisting therein, being lawfully convicted thereof, shall forfeit and pay for each and every such offence, the sum of one hundred and fifty dollars with costs of suit.

Penalty on persons contriving to prevent the free passage of fish, or for using any means to destroy them.

SECT. III. *And be it further enacted by the authority aforesaid*, That from the place or places where seines or nets have been usually thrown into the water, to the place or places where they have been usually taken out, or from the place or places where they may be hereafter thrown into the water, to the place or places where they may be taken out, shall be deemed and held to be a pool or fishing-place within the meaning of this act.

What to be deemed a pool, or fishing place.

SECT. IV. *And be it further enacted by the authority aforesaid*, That whenever there is or may be a pool or fishing-place on both sides of the river and opposite each other, in whole or in part, or where there is or may be a pool or fishing-place on an island, shoal, or sand-bank opposite in whole or in part to the pool or fishing-place on either side of the river or island, where they sweep the whole channel, no seine or net shall be drawn at such pools or fishing-places to both landings in any one period of twenty-four hours; the fishery on the east side of the said river, or on any such island, shoal or sand-bank, shall be occupied or made use of the first twenty-four hours; the fishery on the west side of said river, or on any such island, shoal or sand-bank, the next twenty-four hours, and so on in rotation; and

Persons residing opposite to each other having suitable landings for drawing seines, &c. to fish alternately, &c.

Penalty for  
offending a-  
gainst this  
provision.

Manner of  
recovering  
fines, &c.

How applied.

Limitation of  
prosecu-  
tions.

if any person or persons shall undertake to draw any seine or net in the said river or its branches as aforesaid, contrary to the true intent and meaning of this section, he or they so offending shall forfeit and pay the sum of three hundred dollars for each and every such offence, together with costs; and all fines and forfeitures incurred under this act, shall be recovered as debts of equal amount are or may be by law recoverable, one half of the forfeitures under this act to be for the use of the informer, and the other half to be applied for the purpose of improving the public roads and highways within the proper county in which such offence shall have been committed: *Provided always*, That every prosecution or suit under this act, shall be instituted within three months from the commission of the offence, and not afterwards.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the sixteenth day of March, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

Commis-  
sioners ap-  
pointed un-  
der a former  
act to report  
their pro-  
ceedings to  
the gover-  
nor;

Who may  
authorize  
the sale of  
such land as  
the commis-  
sioners may  
specify as  
the property  
of the late J.  
Nicholson  
subject to  
the liens of  
the com-  
monwealth.

Notice of  
sale to be  
given.

But the  
Commis-  
sioners pow-  
er of com-  
promise not  
to be abridg-

## CHAPTER LIV.

*A SUPPLEMENT to an act, entitled "An act for the more speedy and effectual collection of certain debts due to this commonwealth."*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners appointed under the act to which this is a supplement, shall make report of their proceedings to the Governor, who on approbation thereof, shall issue one or more process to the said commissioners, commanding them or a majority of them to sell such lands or interest in lands as the said commissioners may specify in their report as the property of the late John Nicholson, and subject to the liens of the commonwealth without inquisition; and in all cases of sales so to be made by the commissioners or a majority of them, at least twenty days notice shall be given of the time and place of sale by advertisement in the newspaper printed in the county where the lands respectively lie, if any be there printed, and if not, in the newspaper printed nearest to such county, and also in two papers printed in the city of Philadelphia: Provided, That nothing contained in this section shall operate to abridge the powers of compromise vested in the said commissioners by the fourth section of this act.*

also all returns for the use of the late John Nicholson, heretofore deposited with him by deputies out of office, which may be required by the aforesaid commissioners to be accepted, and the said commissioners or a majority of them whenever they may deem it expedient, in order to ascertain quantities, to rectify errors or mistakes in surveys, and to identify tracts of land where division lines may not have been run or outlines distinctly and accurately marked, shall have power to procure resurveys of such tracts to be made and returned, and the expences thereof shall be paid as is directed in this section, and the surveyor general is hereby required to accept such resurveys.

SECT. VII. And whereas the late John Nicholson, formerly comptroller-general of this Commonwealth, was entitled to certain lands which he conveyed to certain trustees for the use of such persons as should become purchasers of shares in an association called the "Asylum Company," each share to entitle the holder to two hundred acres of land: And whereas it is necessary to know what number of shares have been disposed of, and what number of shares were purchased by the said John Nicholson, to the intent that the interest of the said John Nicholson in the stock of the said Company, subject to the liens of this Commonwealth be ascertained: And whereas the said Company have refused to the commissioners aforesaid the necessary information in this case: *Therefore, Be it further enacted by the authority aforesaid,* That the president and managers of the Asylum Company shall, within three months from the passage of this act, deliver or cause to be delivered to the Secretary of the Commonwealth, an exact copy of their transfer book or register of shares in the stock of said company, which may have been transferred by the company to individuals, or by individuals to the company, or to other individuals.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the said company shall, within three months from the passage of this act, file in the said secretary's office a schedule of all lands now or at any time heretofore claimed and held by the said company, exhibiting the quantity and local situation of each body or tract of land, and also a specification of their title to each body or tract, and if any lands shall have been transferred by any other person or persons than the said John Nicholson to the said company or in trust to them, the said company shall state fully and explicitly whether such person or persons made such transfers under any immediate contract with the said company or by virtue of some contract with the said John Nicholson: *Provided,* That the reasonable expences incurred by the President and managers of the Asylum Company, in making out copies of the papers directed by this act to be filed in the Secretary's office, shall be settled by the comptroller and register-generals in the

by the commissioners, &c. And shall receive compensation therefor. Commissioners authorized to procure resurveys, &c. which the surveyor general is to accept.

Asylum company shall deliver to the Secretary of the commissioners a copy of their transfer book or register of shares, &c.

Company also to file in said office a schedule of all lands now, and heretofore claimed by them. Also specification of title.

aforesaid, placed out at interest on good real security for the benefit of the heirs respectively, agreeably to the intestate laws of this commonwealth.

Said administrators to give security, &c. before they proceed to sell, &c.

SECT. II. *And be it further enacted by the authority aforesaid,* That the said James Maris and Samuel Davis, do before they proceed to sell and convey the said messuage, plantation and tract of land, enter into recognizance with sufficient security before the orphans' court for the county of Delaware, for the faithful performance of the duties and powers hereby granted: *And provided always,* That the legal rights of all other persons shall be, and they are hereby saved and reserved, and shall remain as fully and effectually as if this act had never been passed.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the eleventh day of March, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER L.

*An ACT to incorporate the Philadelphia Society for the encouragement of domestic manufactures.*

The society incorporated.

Style of the corporation.

Its immunities and powers.

Income limited.

To have a common seal and power to alter and renew it.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That all and every the persons who shall at the time of the passing of this act, be members of the Philadelphia society for the encouragement of domestic manufactures, and proprietors of the capital stock thereof, shall be, and they are hereby created and declared to be one body politic and corporate, by the name, style and title of "THE PHILADELPHIA DOMESTIC SOCIETY," and by the same name shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record or elsewhere, and to purchase, receive, have, hold and enjoy to them and their successors any property of what nature, kind or quality soever, real, personal, or mixed or choses in action, and the same from time to time to sell, grant, demise, alien or dispose of: *Provided,* The clear yearly income of said real estate shall not at any time exceed the sum of five thousand dollars, and also to make and have a common seal, and the same to break, alter and renew at pleasure, and also, to ordain, establish, and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly assembled, and it is hereby enacted by the authority of the same,* That all The society and every the persons who shall at the time of the passing of this act be members of the association called the "Lancaster and Susquehanna Insurance Company", and proprietors of the capital stock thereof, shall be and they are hereby created and declared to be one body politic and corporate by the name, style, and title of the "Lancaster and Susquehanna Insurance Company," and by the same name shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded, in all courts of record or elsewhere, and to purchase, receive, have, hold and enjoy to them and their successors, lands, tenements and hereditaments, goods and chattels, of what nature, kind, or quality soever, real, personal, or mixed, or choses in action, and the same from time to time to sell, grant, demise, alien, or dispose of : *Provided,* That the clear yearly income of said real estate shall not at any time exceed the sum of five thousand dollars, and also to make and have a common seal, and the same to break, alter and renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to the constitution thereof, or to the laws of the United States or of this commonwealth, and generally to do all and singular, the matters and things which to them it shall lawfully appertain to do for the well-being of the said corporation, and the due management and ordering of the affairs thereof.

**SECT. II.** *And be it further enacted by the authority aforesaid,* That all the joint stock, and all other the estate, real, personal and mixed, and all the securities, dues, claims and demands, and all the records, books, papers, vouchers, and other documents whatsoever, in anywise belonging to or held and claimed by the said association of citizens at the time of the passing of this act, shall be transferred to and vested in the said corporation of the "Lancaster and Susquehanna Insurance Company," hereby created as absolutely and completely to all intents and purposes as the same respectively shall then belong to, or be held and claimed by the said association of citizens, or by their officers and agents for their use.

**SECT. III.** *And be it further enacted by the authority aforesaid,* That the capital stock of the "Lancaster and Susquehanna Insurance Company" now consisting of one hundred thousand dollars, may be hereafter increased to any sum not exceeding three hundred thousand dollars, if the holders of two thirds of the present stock shall at any of their annual meetings regularly convened, as is hereinafter provided, so order, and the increase

The society  
incorporated.

Style of the  
corporation.

Its immuni-  
ties and pow-  
ers.

Income limi-  
ted.

To have a  
common  
seal, and  
power to al-  
ter and re-  
new it.

Power to  
make and  
execute by-  
laws, &c.

All joint  
stock, estate  
and records,  
&c. held and  
claimed at  
passing of  
this act vest-  
ed in the  
company.

Capital  
stock may be  
increased  
from 100,  
000, to any  
sum, not ex-  
ceeding  
300,000 dol-  
lars :

If so ordered by the holders of two thirds of the present stock, &c. Subscriptions for increased stock, to be made upon the original plan.

Stock transferable.

The terms of payment.

Forfeiture in case of neglect or refusal to pay the instalments in ten days after the same shall become due.

How the capital stock may be invested.

Who shall not be admitted to become members.

The affairs of the company to be managed by 17 directors.

shall be subscribed for in such manner, and on such terms as they shall direct : *Provided always*, That the privilege of subscribing to shares in the increased stock, shall not exceed the original terms, and shall be equally extended to the citizens at large, as well as to those who may then be stockholders, after a notice of sixty days at least shall have been given in all the newspapers printed in the borough of Lancaster ; and the present capital stock of the company by this act incorporated, as well as the stock which may be created in addition to it by the increase aforesaid, shall be held by the proprietors thereof, and be transferable by them or their assigns respectively, on the terms and in the manner hereinafter specified, and the stockholders having already paid two dollars and fifty cents on each share by them respectively subscribed according to the terms of their association, shall pay the balance for the share or shares by them respectively subscribed in the company by this act incorporated, in instalments of not more than five dollars each, at such times as the president and directors shall judge necessary and require, they giving at least thirty days notice previous thereto, in two public newspapers printed in the borough of Lancaster, and the stockholders who shall neglect or refuse to pay all or any part of the said instalments for the space of ten days after the time and times prescribed as aforesaid, shall forfeit for the use of the company hereby incorporated, all the money previously paid, together with all right, title, interest, emolument, profit, claim and demand whatsoever, of, in, to and out of the capital stock and funds of the company by this act incorporated, and the profits arising and to arise therefrom by reason or on account of the share and shares so forfeited, and so much of the capital stock and funds of the company as it may not be necessary to reserve for the purpose of paying demands against the company, shall be vested by the directors in the public debt of the United States, in bank stock, or in the stock of any company incorporated by the state of Pennsylvania, or any of the United States, and the directors shall have power to call in and reinvest such monies in the same or other funds, whenever it shall appear to them expedient.

SECT. IV. *And be it further enacted by the authority aforesaid*, That no corporation or body politic, or persons not being citizens of the United States of America, shall be admitted to become members of the said company.

SECT. V. *And be it further enacted by the authority aforesaid*, That the affairs of the company shall be managed and superintended by seventeen directors, who at their first meeting after their election, shall choose one of their number to be president, and in case of the death, resignation or inability of the president, or any director, the vacancy shall be supplied by the board of

directors for the remainder of the period during which such president or director was elected to serve; the directors shall be chosen by ballot on the first Tuesday of June next, and on that day in each and every year hereafter, by a plurality of the votes of the stockholders present, in person, or represented by proxy, derived directly from such stockholder, and shall serve for one year, next ensuing their election, and until others shall be chosen: *Provided always*, That William Kirkpatrick, Adam Reigart, jun. Samuel Humes, John Hubley, Jacob Krug, James Hopkins, Samuel Bethel, Thomas Boudé, Doctor John Watson, Michael Gundacker, James Whitehill, George Graeff, George Duffield, James Houston, Edward Brien, Samuel White and Abraham Witmer, who have been elected by the stockholders, shall be the present directors, and shall continue in office until the first Tuesday of June next, and until others shall be chosen: *Provided*, That in case it shall at any time happen, that an election of directors shall not be made upon any day when pursuant to this act it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved, but it shall be lawful on any other day within thirty days thereafter, to hold and make an election of directors in such manner, as shall be regulated by the bye-laws and ordinances of the said corporation.

How vacancies are to be supplied, and for what time.

Names of the present directors.

How long to continue in office.

Proviso in case elections are not held on the days prescribed.

SECT. VI. *And be it further enacted by the authority aforesaid*, That the directors for the time being, shall have power to appoint such officers, clerks and agents, under them as shall be necessary for executing the business of the said corporation, and to allow them such compensation for their services respectively, as shall be reasonable, and shall be capable of exercising such other powers and authorities, for the well-governing and ordering of the affairs of the said corporation as shall be prescribed, fixed and determined by the laws, regulations and ordinances of the same.

The directors authorized to appoint their own officers &c.

SECT. VII. *And be it further enacted by the authority aforesaid*, That the following rules, restrictions, limitations and provisions, shall form and be fundamental articles of the said corporation: to wit,

Constitution of the corporation.

FIRST. A general meeting of the stockholders shall be held at the office of the insurance company on the second Tuesday in December in every year, and at such meeting the directors shall lay before the stockholders or a committee by them appointed, a statement of the affairs of the company, and all such further information, books, papers and other documents, as a majority of the stockholders so met shall require; and the stockholders at such general meetings shall have power to make and ordain all necessary and lawful rules and regulations for governing and well ordering the affairs of the said company.

Of general meetings of the stockholders.

Directors to state the affairs of the company to the stockholders.

Power to make all lawful rules and regulations.

SECOND. The stockholders shall be entitled in all questions coming before them (and at every election of directors)



Of the votes  
for direc-  
tors, &c.

to vote in such manner as shall be agreed upon by three-fourths of the stockholders present at their annual meeting; nor shall any stockholder vote at any election for directors, unless the stock shall have stood in the name of such stockholder in the books of the company at least one month preceding the time of such election; all stockholders may vote at elections, and on any question touching the business of the company by proxy provided the proxy be derived immediately from such stockholder, the written evidence thereof be deposited with the directors at the time of giving such vote, and the vote be given by a citizen of the state of Pennsylvania.

Of voting by  
proxy.

Of compen-  
sating the  
president.

THIRD No director shall be entitled to any emolument, unless the same shall have been allowed at a general meeting of the stockholders, a reasonable compensation shall be allowed to the president for his attendance and services, which shall be fixed by the stockholders at a general meeting.

Of the ob-  
jects of insu-  
rance, and  
loaning mo-  
ney.

FOURTH. The president shall have full power and authority in the name and behalf of the company to make all kinds of marine insurances, insurances against fire, insurances on lives, contracts, securing annuities to the widows and families of mechanics and others, and insurances on the inland transportation of goods, wares and merchandize, also, to lend money upon bottomry or respondentia, and generally to transact and perform all the business relating to the objects aforesaid, subject to such regulations as the stockholders shall make, and conformably to the order and instructions of the board of directors.

Of stated  
and occasion-  
al meetings  
of the direct-  
ors.

FIFTH. Stated meetings of the directors shall be held at least once a fortnight, and occasional meetings at such other times as the president shall think proper, at all which the president if present, shall preside, in case of his absence, his place may be supplied by any other director whom the board of directors shall for that purpose appoint, five of the directors (the president being one), shall form a quorum of a board of directors, but in the absence of the president a majority of the whole number shall be requisite to form a quorum; all questions at the board shall be decided by a plurality of votes, but no vote shall be reconsidered by a smaller number of directors than were present when such vote was passed; the directors shall divide themselves into committees to consist of at least two directors, which committees shall attend in weekly rotation at the office of the company, and it shall be the duty of the president to consult and advise with them touching the affairs of the company.

By what  
number of  
stockholders  
a general  
meeting may  
be called.  
Of which  
weeks  
to be

SIXTH. A number of stockholders, being together proprietors of not less than seven hundred shares, shall have power at any time to call a general meeting of the stockholders, giving at least two weeks notice in two of the newspapers printed in the borough of Lancaster, and specifying in such notice the objects of such meeting.

**SEVENTH.** The stock of the company shall be assignable and transferable according to such rules as the board of directors shall establish, and no stockholder indebted to the company shall be permitted to make a transfer or receive a dividend until such debt is discharged or security to the satisfaction of the board of directors be given for the same. Of transferring stock.

**EIGHTH.** The directors shall on the first Tuesday in December, and the first Tuesday of June in each year, declare a dividend of so much of the profits of the company as to them shall appear advisable, and the dividend so declared shall be paid to the respective proprietors or their legal representatives, in ten days after the same shall be declared, but the monies received as premiums on risks which shall be undetermined and outstanding at the time of declaring such dividend, shall not be considered as part of the profits of the company : and in case of any loss or losses whereby the capital stock of the company shall be lessened, no subsequent dividend shall be made until a sum equal to such diminution shall have been added to the capital ; and if the president and directors shall knowingly make any dividend or dividends contrary to the true intent and meaning of the prohibition herein contained, the president, if he consent thereto, and such of the directors as shall consent thereto, shall in their individual capacities be accountable for, and pay over to the company for the use thereof, as much money as they may so divide and pay more than by this article they are authorized to do, and a special agreement to this effect shall be signed by the president and directors of the company after every election, which agreement shall be kept on record in the office. Half yearly dividends to be declared, &c.

**NINTH.** Any member of the company may be assured thereby, in the same manner and to the like effect as if the said member had no interest in the company. Any member may be assured by the company.

**TENTH.** The public securities and all other evidences of debt or duty owing and belonging to the said company, shall be taken in the name of the " Lancaster and Susquehanna Insurance Company," and all deposits for the safe-keeping of the monies and securities of the said company (until otherwise directed by the stockholders at a general meeting) shall be made in one or more of the incorporated banks established in this commonwealth, in such manner and terms that the same shall always appear to be the property of the company, and be subject only to the drafts or orders of their proper officer or officers as such. How public securities, and evidences of debts shall be taken and deposits secured.

**ELEVENTH.** All policies shall be subscribed by the president as president of the " Lancaster and Susquehanna Insurance Company," and all losses arising on any policy so subscribed, shall be adjusted by the president and board of directors, and paid agreeably to the terms of the policy, out of the funds of How policies shall be subscribed, and losses adjusted and paid, &c.

Upon a controversy arising, the case to be submitted to the decision of arbitrators.

Restrictions on the powers of the company,

This act to continue in force until the 2d Monday in December, 1816.

Unless the corporation by consent of the stockholders shall be sooner dissolved.

In which case sufficient deposits shall be made to answer all risks and engagements. And the powers of the directors to continue until a final adjustment and satisfaction of claims take place.

the company, and in all cases of claims for losses which the president and directors may not think the company liable for; they are hereby bound under a penalty of one thousand dollars to submit the decision thereof within one month after due notice from the claimants to three or five reputable arbitrators to be chosen, one or two by each party, and the third or fifth by these two or four, and whose award shall be binding on the company and the assured, it being hereby declared and made known that the members of this company shall not be liable to any loss, damage or responsibility in their persons or property, other than the property they may respectively have invested in the capital and funds of the company.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the said company shall not have power to issue any note or notes in the nature of bank notes, or to become endorsers on any note or notes in their corporate capacity, or to make, discounts, or receive deposits after the manner of any bank or banks.

SECT. IX. *And be it further enacted by the authority aforesaid,* That this act shall be and continue in force until the second Monday in December, which will be in the year of our Lord, one thousand eight hundred and sixteen, unless at any general meeting of the stockholders, held in pursuance of this act, at any time after the second Monday in December, one thousand eight hundred and ten, the stockholders shall by a plurality of votes of those present in person or by proxy, agree to dissolve the said corporation sooner, and whenever a dissolution thereof shall take place, a sum sufficient to answer all outstanding risks and engagements of the company, shall be deposited in one of the incorporated banks in this state, and the powers of the president and directors, who shall be in office at the time of such dissolution, shall continue in them, and the survivors of them, until the termination of such risks, and the final adjustment and satisfaction of all claims upon the company, after which, but not otherwise, such deposited monies or the remainder thereof, shall be divided among the stockholders.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the nineteenth day of March, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LVI.

*An ACT to alter the time of holding the June fair in the Borough and County of Lancaster.*

*BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, the fair allowed by law to be held in the borough of Lancaster, in the county of Lancaster, on the twelfth of June annually, shall commence and be held on the first Thursday of June in every year, any law or usage to the contrary notwithstanding.*

Time of holding the fair in the borough of Lancaster altered.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the nineteenth day of March, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LVII.

*An ACT granting to the trustees of the University of Pennsylvania, a sum of money for the purpose of enabling them to establish a Botanical garden.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the sum of three thousand dollars be, and the same is hereby granted to the trustees of the university of Pennsylvania, out of the monies they owe the state, for the purpose of enabling them to establish a garden for the improvement of the science of botany, and for instituting a series of experiments to ascertain the cheapest and best food for plants and their medicinal properties and virtues.*

Grant of 3000 dollars to the University of Pennsylvania, for establishing a botanical garden.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the nineteenth day of March, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LVIII.

*An ACT establishing an Academy in the Borough of Wilkesbarre, in the County of Luzerne, and granting a sum of money thereto.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*  
 That there shall be, and hereafter is established in the borough of Wilkesbarre in the county of Luzerne, an academy or public school for the education of youth in the useful arts, sciences, and literature, by the name and style of "**THE WILKESBARRE ACADEMY.**"

The Wilkesbarre Academy established.

Names of the first trustees.

Who, and their successors in office, are incorporated. Style of the incorporation. Its immunities and powers.

SECT. II. *And be it further enacted by the authority aforesaid,*  
 That the first trustees of the Wilkesbarre academy shall consist of the following persons : to wit, Reverend Andrew Hoyt, Lord Butler, Jesse Fell, Matthias Hollerback, William Ross, Rosewell Welles, Ebenezer Bowman, Samuel Bowman, John P. Arndt, Arnold Colt, Peleg Tracy, Matthew Covell, Joseph Slocum, Benjamin Perry, Thomas Graham, Charles Miner and Thomas Dyer, which said trustees and their successors to be elected as hereinafter directed, shall be, and hereby are declared to be one body corporate and politic, by the name, style and title of "*The Trustees of Wilkesbarre academy,*" and by the same name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded in all courts of record and elsewhere, and shall be competent and capable in law and equity, to take and to hold to them and their successors for the use of said academy, land, tenements, hereditaments, goods and chattels, of what kind, nature or quality soever, real or mixed, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest, from any person or persons whomsoever, capable of making the same, and the same from time to time to grant, bargain, sell, demise, alien or dispose of for the use of said academy, and to erect such buildings as may be necessary, and generally to do all and singular the matters and things which shall be lawful for them to do for the well being of the said academy and the due management and ordering the affairs thereof.

To have one common seal, &c.

SECT. III. *And be it further enacted by the authority aforesaid,*  
 That the said trustees and their successors shall have full power and authority to use one common seal, and the same to break, alter and renew at their pleasure.

Of the first meeting of the trustees. Quorum to transact business ;

ve-

SECT. IV. *And be it further enacted by the authority aforesaid,*  
 That the said trustees shall hold their first meeting in the academy in the borough of Wilkesbarre, on the first Monday in June after the passing of this act, any nine of whom shall constitute a quorum to transact any of the business of the said academy, particularly in making and enacting ordinances and by-laws for the government of the said academy, of electing trustees

in the room of those who may be removed by death, resignation, or otherwise, of electing and appointing masters and tutors for said academy, of agreeing with them for their salaries, and at their pleasure removing the same, of appointing a secretary, managers and other necessary officers for taking care of the funds and managing the concerns of the corporation, and determining all matters and things necessary to be determined and transacted by said trustees : *Provided always*, That no ordinance or bye-law shall have any force which shall be contrary to the constitution or laws of this commonwealth, or of the United States.

Of the appointment of officers.

SECT. V. *And be it further enacted by the authority aforesaid*, That all bye-laws, ordinances and proceedings of the corporation shall be fairly and regularly entered in a book to be kept for that purpose, and no misnomer of the said corporation shall defeat or annul any gift, grant, devise or bequest to the said corporation : *Provided*, The intent of the parties shall sufficiently appear on the face of the gift, grant, will or other writing whereby any estate or other interest was intended to pass to the said corporation, nor shall any mis-user or non-user of the rights, liberties, privileges, jurisdictions and authorities hereby granted to the said corporation, create or in anywise cause a forfeiture thereof.

Bye-laws shall be fairly and regularly entered in a book.

No misnomer shall defeat or annul any gift grant, &c. Nor shall any misuser or non-user cause a forfeiture, &c.

SECT. VI. *And be it further enacted by the authority aforesaid*, That no sale or alienation of the real estate of the said corporation which shall have been made by the said trustees or their successors *bona fide* for a valuable consideration in case the possession thereof pass immediately to the purchaser or purchasers thereof, and continue in him, her or them, his, her or their heirs or assigns shall be invalidated for want of proving that nine of said trustees of said corporation consented to such sale and alienation, unless the same be controverted within the space of seven years from and after the sale and delivery of such real estate to the purchaser or purchasers thereof.

No sale of estate to be invalidated for want of proof that nine trustees consented to such sale unless, &c.

SECT. VII. *And be it further enacted by the authority aforesaid*, That the commissioners of the county of Luzerne are hereby required and enjoined to pay into the treasury of this commonwealth the sum of two thousand three hundred and twenty-five dollars, being a part of the money paid to them by Samuel Bryan late comptroller through mistake, and on the payment of the sum aforesaid into the treasury of this commonwealth within two years and not otherwise, there is hereby appropriated the sum of two thousand dollars to the trustees of the academy of Wilkesbarre, to be paid by the commissioners of the county of Luzerne, in full of the sum of four thousand three hundred and

Grant of 2,000 dollars payable by the commissioners of Luzerne county out of 4325 due by them to the Company, money paid by Samuel Bryan in mistake.

twenty-five dollars, paid through mistake by the said Samuel Bryan to the aforesaid county commissioners.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the nineteenth day of March, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

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## CHAPTER LIX.

*An ACT to enable Sarah Morgan, administratrix, and Jonathan Morgan, administrator to the estate of Isaac Morgan, deceased to convey a Tract of Land in Charlestown township, Chester county*

**W**HEREAS it hath been represented to the legislature that Samuel Custer purchased of Isaac Morgan, a tract of land containing fifty acres and three quarters of an acre, be the same more or less, situate in Charlestown township, Chester county, and that he hath made payment for the same according to the terms of an agreement made with the said Isaac Morgan, who is since dead, and as the written contract respecting the premises has been lost, by reason whereof he is deprived of the means of obtaining a title thereto, he therefore prays the legislature to pass a law authorizing Sarah Morgan, administratrix, and Jonathan Morgan, administrator to the estate of the said Isaac Morgan, to execute a deed to him the said Samuel Custer, his heirs and assigns : Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That Sarah Morgan, administratrix, and Jonathan Morgan, administrator to the estate of Isaac Morgan, deceased, be, and they are hereby authorized to convey unto Samuel Custer, his heirs and assigns, in fee simple, a tract of land situate in Charlestown township, Chester county, containing fifty acres and three quarters of an acre, and the appurtenances; and the title so made and completed shall be as good and available in law to all intents and purposes as if it had been made by the said Isaac Morgan in his life time : Provided nevertheless, That before the said deed shall be executed, it shall satisfactorily appear to the said Sarah Morgan and Jonathan Morgan, that the whole of the consideration-*

The administrators of the estate of Isaac Morgan, authorized to convey to Samuel Custer in fee simple a certain tract of land, &c.

The consideration being first paid, &c.

money therefor has been paid by the said Samuel Custer, and the said agreement or contract on his part in all other respects satisfied and performed.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the nineteenth day of March, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

CHAPTER LX.

An ACT to repeal the nineteenth section of the act to regulate the general elections within this commonwealth.

SECTION I. *BE* it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the nineteenth section of the act, entitled "An act to regulate the general elections within this commonwealth," be, and the same is hereby repealed.

The 19th section of the general election law repealed.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

WE DO HEREBY CERTIFY, That the bill entitled "An act to repeal the nineteenth section of the act to regulate the general elections within this commonwealth," was presented to the Governor on Tuesday the tenth day of March, one thousand eight hundred and seven, and was not returned by him within ten days (Sundays excepted), and therefore, agreeably to the constitution, has become a law.

Lancaster,  
23d March, 1807. }

MATTHEW HUSTON, *Clerk*  
of the House of Representatives.

GEO. BRYAN, *Clerk of the Senate.*

CHAPTER LXI.

An ACT authorizing certain persons therein named, to lease a tract of land, situate in Falls township, Bucks county, and to appropriate the rents thereof for the education of poor children in said township.

WHEREAS William Penn, formerly proprietor and Governor of the late province of Pennsylvania, in consideration of certain persons holding lands in Falls township, Bucks county, by grants from the duke of York, having con-



sented to the turning of the lines of their respective tracts, for the accommodation of his manor of Pennsbury, which he was then about laying out, did on the thirtieth day of September, in the year one thousand six hundred and eighty-two, order and command the surveyor-general to lay off a certain tract of land of one hundred and twenty acres, situate in said Falls township, for the use of the inhabitants thereabouts; and the said tract of land was accordingly laid out for the use aforesaid, and on the sixteenth day of August, one thousand seven hundred and eighty-four, twenty acres of said tract were sold by the commissioners of said county for taxes: *And Whereas* a number of the said inhabitants have represented to the legislature, that considering the situation of the said piece of land and the populousness of the neighbourhood, they are of opinion that if the said tract of land was let out upon lease or leases, and the profits thereof applied to the schooling of poor children, it would be much more beneficial than it is in the present situation, and have prayed for legislative aid to effect this object: Therefore,

*SECTION I. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* Mahlon Milnor, Daniel Lovett, John Carlisle, Charles Brown, William Warner, John Mott and their successors duly appointed or elected as is hereinafter directed, be, and they are hereby declared to be a body politic and corporate, by the name of the "Trustees of the Falls township free school," and shall have all the powers necessary for a body politic and corporate.

The trustees of the Falls township free school declared to be a body politic with all necessary powers.

Meeting of the trustees and rotation of service.

*SECT. II. And be it further enacted by the authority aforesaid, That* the said trustees immediately on their assembling in consequence of their appointment, shall divide themselves equally into three classes, and draw by lot for the term for which they shall respectively serve; the time of the first class to expire on the third Friday in March, one thousand eight hundred and eight, the time of the second class to expire on the third Friday in March, eighteen hundred and nine, the time of the third class to expire on the third Friday in March, eighteen hundred and ten, so that one third may be annually elected.

Of the election of future trustees.

*SECT. III. And be it further enacted by the authority aforesaid, That* the qualified citizens of the said township shall at their annual election for supervisors of said township, elect two respectable citizens to supply the places of those whose time shall be expired, and also a sufficient number of respectable citizens to supply the places of such trustees whose places shall have become vacant by death, resignation or otherwise, for the unexpired time of such trustee or trustees.

*SECT. IV. And be it further enacted by the authority aforesaid, That* the said corporation shall have full power and authority to

lease the said tract of land, consisting of one hundred acres or such parts thereof as they shall think proper, to any person or persons for any term not exceeding twenty years, and shall dispose of the rents arising therefrom in the schooling of poor children at any school now established in said township, or which may hereafter be established therein, at the usual rate of tuition.

to lease a certain tract of land. And apply the rents in the schooling of poor children within Falls township.

SECT. V. *And be it further enacted by the authority aforesaid,* That the said trustees shall appoint a treasurer, who shall collect the rents of the aforesaid tract of land annually, and on the first Friday in March in every year, make out a just, true and clear statement of all the monies by him received, and the monies paid over to the trustees or their orders, and the rents outstanding, which statement shall be lodged at the place where the township business is usually done, and be open for the inspection of all such citizens of the said township as may choose to inspect the same.

The trustees to appoint a treasurer to collect the rents, who is annually to account, &c.

SECT. VI. *And be it further enacted by the authority aforesaid,* That the said trustees shall appoint a clerk, whose duty it shall be to keep fair records of their proceedings, which records shall be kept at the place where the trustees usually assemble, open for the inspection of such citizens residing in said township, as wish to have recourse thereto.

Trustees to appoint a clerk; his duties.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

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## CHAPTER LXII.

*An ACT for the relief of Bernard Hubley, of the county of Northumberland.*

**W**HEREAS it satisfactorily appears to the legislature, that Bernard Hubley, late an officer in the army of the United States, vested his certificates of pay in the purchase of part of the confiscated estate of William Rankin, late of the county of York, an attainted traitor, and paid to the agents of the commonwealth, for a tract of one hundred and forty acres and seventy-six perches, the sum of six hundred and sixty-one pounds, but by reason of a title paramount, in one Thomas Campbell, for seventy-four acres thereof, he was not able to obtain possession thereof or derive any emolument therefrom, and upon an ejectment brought by the said Bernard Hubley, for the recovery thereof which was tried at the circuit court for the county of York, on the twenty-first day of April last, a

verdict and judgment were rendered for the defendants, and that he also paid to the said agent the sum of four hundred and fifty-five pounds, for a certain part of another tract of land and ferry, known by the name of Noblet's ferry, but by reason of certain irregularities in the proceedings of sale by the agents, and difficulties as to the title of William Rankin thereto, the said sale was not confirmed, nor any title therefor given to the said Bernard Hubley, nor the money returned, but the same is still retained by the commonwealth, and as it is just and equitable to compensate the said Bernard Hubley for his loss as well as to refund the money for which he has received no consideration : Therefore,

Grant in favour of Bernard Hubley.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Governor be, and he is hereby authorized to draw his warrant on the treasurer in favour of Bernard Hubley, for the sum of three thousand four hundred and seventy-eight dollars and fifty-eight cents, to be paid out of any unappropriated monies in the treasury, as a full compensation to him by reason of the loss of the said seventy-four acres of land, and also in full of the money paid by him for the land for which no conveyance was executed.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

### CHAPTER LXIII.

*An ACT to incorporate Trustees for the Meadville Academy, and to establish the same.*

Meadville academy established.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That there shall be established in the town of Meadville, in Crawford county, an academy or public school, for the education of youth in the useful arts, sciences and literature, by the name, style, and title of "The Meadville Academy."

Trustees of, declared to be a body politic, &c.

SECT. II. *And be it further enacted by the authority aforesaid,* That the first trustees of the Meadville academy shall consist of the following persons: to wit, Roger Alden, Jesse Moore, John Brooks, Robert Stockdon, Joseph Hackney, James Her-

ington, James Burchfield, John Davis, Aaron Wright, John Limber, Joseph Andrews, James Gibson, Henry Richard, Robert Cochran, John Patterson, Henry Hurst, David Meade, Doctor Thomas R. Kennedy, and Moses Scott; which said trustees and their successors, who shall be elected as hereinafter mentioned, shall be, and they are hereby declared to be, one body corporate and politic, by the name, style and title of "The Trustees of the Meadville Academy," and by the same name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded in all courts of record and elsewhere, and shall be competent and capable in law and in equity to take, and hold to them and their successors, for the use of said academy, lands, tenements, hereditaments, goods and chattels, of what kind, nature or quality soever, real, personal or mixed, by the gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest of any person or persons whomsoever, capable of making the same, and the same from time to time to grant, bargain, sell, demise, alien or dispose of for the use of the said academy, and generally to do all the matters and things which shall be lawful for them to do for the well-being of the said academy, and the due management and ordering the affairs thereof.

SECT. III. *And be it further enacted by the authority aforesaid,* That the said trustees and their successors, shall have full power to make one common seal with such devices and inscriptions as they shall think proper, under and by which all their deeds, diplomas and certificates shall be authenticated, and the same break, alter and renew at pleasure.

Empowered to make one common seal, &c.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the said trustees shall hold their first meeting in the academy in the town of Meadville, on the first Monday in the month of June next, and at least once annually thenceforth at such time or times as the said trustees, or a quorum of them, shall appoint, of which notice shall be given, either by public advertisements in a news-paper published in the said town, at least four weeks before such meeting, or by notice in writing, signed by the secretary, or other officer, whom the said trustees for that purpose may appoint, and to be left at the dwelling-house, or place of residence of each trustee, at least ten days before such intended meeting; and if at such meeting fifteen of the said trustees shall not be present, those present shall have power to adjourn the meeting to any other day or hour, as fully and effectually to all intents and purposes as if the whole number of trustees for the time being were present: but if fifteen or more of the said trustees shall meet at the said appointed times, or any other time of adjournment, then such number so met, shall be a board or quorum, and a majority of them shall be capable of doing and transacting all the business and concerns of

The first and general meetings of the trustees.

Of a quorum to do business.

Of electing trustees to supply vacancies, appointing teachers, &c.

the said academy, and particularly of electing trustees in the stead of those occasioned by death, resignation or otherwise, of electing and appointing a principal, and assistant teacher or teachers for the said academy, and of fixing the amount of their salaries: and the powers in this section given and contained, shall be exercised by the said trustees only or a quorum of them as aforesaid.

Further powers of the trustees. To remove teachers. To enact by-laws. To appoint committees of their own body for carrying into effect the resolutions of the board to appoint a treasurer, secretary, managers, &c.

SECT. V. *And be it further enacted by the authority aforesaid,* That the said trustees and their successors in office, or a quorum of them as aforesaid, shall have the power of removing the principal and assistant teacher or teachers, for a breach of the laws of the institution, for misconduct, incompetency, or for any other cause which they shall deem expedient, and of enacting ordinances and by-laws for the government of the said academy, and of appointing committees of their own body to carry into execution all and every the resolutions of the board, of appointing a treasurer, secretary, managers and other customary officers for taking care of the estate, and managing the concerns of the corporation, and a majority of the board of trustees or a quorum of them at any annual meeting or meetings which they may deem expedient to appoint, shall determine all matters and things which may occasionally arise, and be incidentally necessary to be determined and transacted for the well-being of the said academy; although the same be not herein particularly mentioned; the said trustees and their successors in office, or a quorum of them, shall have full power to elect and appoint annually, or as often as they may deem necessary, a committee to consist of seven members of their own body, any five of whom shall constitute a number competent to do, perform and execute all and every duty or duties which the said trustees or their successors in office could or should do, perform or execute, under the powers given by this act: *Excepting nevertheless,* the powers given in the third section of this act which are reserved, to be exercised by the board of trustees only.

The proceedings of the corporation to be recorded, &c.

SECT. VI. *And be it further enacted by the authority aforesaid,* That all by-laws, ordinances and proceedings of the said corporation, shall be fairly and regularly entered in a book or books to be kept for that purpose, and no misnomer of the said corporation shall defeat or annul any gift, grant, devise or bequest to the said academy.

Qualification of the trustees.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the trustees herein-before appointed and their successors in office shall, before they enter on the duties of their trust, before any justice of the peace of this state, take an oath or affir-

tion, for the diligent and faithful discharge of the duties enjoined on them by this act.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirty-first day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LXIV.

SUPPLEMENT to an act entitled "*An act to erect the Town of Canonsburgh in the County of Washington, into a Borough.*"

**ACTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, the time for holding the election of borough officers, as directed by the act of incorporation of said borough, be changed from the first Monday of May to the third Saturday of March, in each and every year hereafter.*

The time for electing borough officers changed.

**SECT. II.** *And be it further enacted by the authority aforesaid, That the law of the borough aforesaid, which prohibits hogs running at large, be, and the same is hereby confirmed, any law to the contrary notwithstanding.*

The law prohibiting hogs from running at large confirmed.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirty-first day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LXV.

SUPPLEMENT to the act, entitled, "*Act to provide for the erection of houses for the employment and support of the poor, in the counties of Chester and Lancaster, and a SUPPLEMENT to the act entitled 'An act to provide for the erection of a house for the employment and support of the poor in the county of Delaware.'*"

**ACTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the directors of the poor, and houses of employment for the counties of Chester, Lancaster and Delaware respectively,*

The directors of the poor and

houses of employment for the counties of Chester, &c. to furnish to the county commissioners annually, an estimate of the sum wanted for the use of the poor; which is to be assessed and collected in addition to the county tax, &c.

shall, on or before the first Monday in December in each a every year, furnish to the commissioners of the proper count an estimate of the expense of the poor and house of employment for one year, and the commissioners are hereby authorized and required, to assess, levy and collect the amount thereof in addition to the county tax, which sum, so levied and collected shall be paid to the said directors by the respective county trustees, on warrants drawn by the county commissioners in their favour; and also to pay over in the same manner, any mon which may have been assessed, levied and collected for the use aforesaid, in consequence of any former requisitions of the said directors.

How the property of any deceased pauper is to be disposed of.

**SECT. II.** *And be it further enacted by the authority aforesaid* That if upon the death of any pauper, in either of the houses for the employment and support of the poor, in the counties of Chester, Lancaster and Delaware. it should appear, that such person died possessed of property, the same shall be recovered and collected by, and vested in the directors of such institution and be by them applied to the support thereof: *Provided, always* That it shall be the duty of the said directors, to give public notice in at least two newspapers for at least four weeks, of the death of such person and the property in their hands, and to pay over the same, first deducting therefrom, all the expenses incurred on account of such person to his or her heirs or legal representatives: *Provided,* The same shall be claimed within twelve years after the death of such person.

SIMON SNYDER, *Speaker*  
of the House of Representatives

P. C. LANE, *Speaker of the Senate*

APPROVED—the thirty-first day of March, one thousand eight hundred and seven.

THOMAS M'KEAN

## CHAPTER LXVI.

A SUPPLEMENT to an act, entitled "An act making an appropriation for the building of a bridge in Somerset county."

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania*

*General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the counties of Bedford and Somerset, are hereby authorized and enjoined to adjust and settle the accounts of arrearages of state taxes due from the county of Bedford, and to ascertain what proportion thereof is due to that part of the county of Bedford, afterwards erected into the county of Somerset; and as soon as the same shall be ascertained

Certain duties enjoined on the commissioners of Bedford and Somerset counties.

by the said settlement and apportionment, the commissioners of the county of Somerset shall be, and they are hereby authorized to cause to be collected out of the arrearages aforesaid, due from that part of the said county of Bedford, now within the limits of the county of Somerset, the sum of four hundred dollars, which sum of money shall be paid by warrant or warrants drawn by the commissioners of Somerset county, on the treasurer of said county, and shall be applied and appropriated and hereafter credited as is directed by the act to which this is a supplement.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirty-first day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

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## CHAPTER LXVII.

*An ACT granting George Huber and Michael Zeller a tract of Donation Land.*

**W**HEREAS it has been represented that the said George Huber and Michael Zeller enlisted as privates into the company commanded by Captain Deckert, of the fifth Pennsylvania regiment; that they were made prisoners at the surrender of Fort Washington, in which condition they continued suffering much with cold and hunger, until they were discharged; and it appears that they have had no compensation for their services and sufferings: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the land-officers of this commonwealth be, and they are hereby authorized and directed to issue a patent for two hundred acres of donation land to George Huber and Michael Zeller of Dauphin county, as tenants in common, on application of the said George Huber or Michael Zeller, or their agent or attorney in the usual manner.

Grant of land  
to George  
Huber and  
Michael Zeller  
as tenants  
in common.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirty-first day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.



## CHAPTER LXVIII.

*An ACT to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

Proceedings  
to make the  
septennial  
enumera-  
tion of tax-  
able inhabi-  
tants, &c.

That the commissioners of the several counties of this commonwealth shall on or before the first day of November next issue their precepts to the respective township, town, ward or district assessors, requiring them within thirty days after the date of such precept to make out two complete lists in alphabetical order, containing a just and true account of the names, surnames and occupations of every taxable person of the age of twenty-one years and upwards, whether male or female resident within their respective township, town, ward or district; and it shall also be the duty of the said commissioners and assessors to cause the number of all negroes, mulattoes and people of colour, held as slaves within their respective counties, to be carefully and accurately taken in a separate list, distinguishing their sexes, and as near as may be, their several ages; and the commissioners and assessors shall respectively take an oath or affirmation before some judge or justice of the peace of their respective city or county, who is hereby empowered and required to administer the same, previously to their entering on the duties by this act required: The oath or affirmation of the commissioners shall be, "I *A. B.* do solemnly swear or affirm, that I will well and truly cause to be made, a careful and accurate return of all the taxable inhabitants and slaves, actually residing within county, and return the same to the Governor of the commonwealth, agreeably to the directions of an act of the general assembly of this commonwealth, entitled 'An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth,' according to the best of my ability." The oath or affirmation of the assessors shall be, "I *A. B.* do solemnly swear or affirm, that I will make a careful and accurate enumeration of all the taxable inhabitants and slaves actually residing within the district assigned to me, and make due return thereof to the commissioners of the said county, agreeably to the directions of an act of the general assembly of this commonwealth, entitled 'An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth,' according to the best of my ability." And in case of the absence or inability of the person or persons authorized by this act, to take the enumeration as aforesaid, the commissioners of the proper county shall appoint a suitable person or persons for that purpose.

**SECT. II.** *And be it further enacted by the authority aforesaid* That the commissioners respectively, on their receiving the returns of their respective assessors or other person appointed and authorized to do the duty of assessor, are hereby required carefully to examine said lists, comparing them with former duplicate lists of the respective townships, wards or districts, or any other means by which they may ascertain their correctness, and on the discovery of any error or omission, they are hereby required to certify the nature and extent of the same, with the probable causes thereof, under their hands and seals of office. And on or before the first Tuesday in December next ensuing, transmit to the Governor under their respective hands and seals of office, duplicates of the several returns received by them as aforesaid, with the said certificates, which returns and certificates the Governor shall lay before the general assembly then in session, and the said commissioners wilfully or negligently failing to file the returns, or knowingly making a false return of his or their assessors or any of them, or other person by them appointed to perform the duties enjoined upon the assessors, or wilfully or negligently failing to return under their respective hands and seals of office, the duplicates and certificates aforesaid, with the aggregate amount of the taxable inhabitants and slaves as aforesaid, actually resident within their respective counties and the city of Philadelphia, to the Governor within the time limited by this act, shall for every such offence forfeit the sum of three hundred dollars, all which forfeitures shall be recoverable in the proper courts of the respective counties where the offences shall have been committed by action of debt or indictment, the one half thereof to the use of the commonwealth, and the other half to the prosecutor or person who shall sue for the same, but where the prosecution shall be first instituted on behalf of the commonwealth, the whole forfeiture shall accrue to its use.

Returns to be examined by the county commissioners and transmitted to the Governor who is to lay them before the legislature.

Penalty for not making returns.

**SECT. III.** *And be it further enacted by the authority aforesaid,* That the said commissioners as soon as the township, town or ward returns have been made to them, shall deliver one copy of all such returns to the clerks of the quarter sessions of their respective counties, who shall receive and file them in their offices respectively for the use of the court or grand jury, on any trial for delinquency in any duty enjoined by this act.

Returns to be delivered to and filed by the clerks of the courts of quarter sessions.

**SECT. IV.** *And be it further enacted by the authority aforesaid,* That for any duties the assessors or other person authorized to do the duties of assessor may be subjected to, in addition to the duties enjoined upon them by the law, entitled "An act to raise county rates and levies," the commissioners shall make such compensation as to them may appear reasonable, which shall be paid out of the county stock of the respective counties.

Compensation to assessors for duties performed under this act

**SECT. V.** *And be it further enacted by the authority aforesaid,*

**List of taxa-** That each assessor, or other person appointed to perform the du-  
**bles to be set-** ty of assessor. shall ten days previously to his making his return  
**in public** to the commissioners, cause a correct alphabetical list signed by  
**places before** himself, containing the names and surnames of the taxable in-  
**returns are** habitants, together with their several occupations, actually resid-  
**made.** ing within his township, town, ward or district, to be set up at  
 five of the most public places within the same, for the inspection  
 of all concerned, for each of which lists so set up, he shall be  
 entitled to receive the sum of one dollar and fifty cents.

**Penalty on** **assessors** **and assistant** **assessors, for** **nonperform-** **ance of duty,** **&c.**  
 SECT. VI. *And be it further enacted by the authority aforesaid,*  
 That if any assessor, or other person appointed to perform the  
 duties of assessor, shall wilfully or negligently fail in perform-  
 ing the duties enjoined upon him by this act, or under colour of  
 performing such duties, shall make a false return to the commis-  
 sioners, he shall forfeit and pay the sum of one hundred dollars,  
 to be recovered and applied agreeably to the provision contained  
 in the second section of this act.

**Limitation of** **prosecutions.** SECT. VII. *And be it further enacted by the authority aforesaid,*  
 That no prosecution for any delinquency or offence against this  
 act, shall be instituted after twelve months from and after the  
 cause thereof shall have happened.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirty-first day of March, one thousand eight  
 hundred and seven.

THOMAS M'KEAN.

## CHAPTER LXIX.

*An ACT making appropriations for improving the road leading from  
 Milesburg in Centre county, to Waterford in Erie county.*

SECTION I. *BE it enacted by the Senate and House of Representa-*  
*tives of the Commonwealth of Pennsylvania, in Ge-*  
*neral Assembly met, and it is hereby enacted by the authority of the same,*  
 That the Governor be, and he is hereby authorized to draw his  
 warrant on the State-treasurer, for the sum of one thousand  
 dollars, and the same is hereby appropriated for the purpose of  
 improving certain parts of the state road, leading from Miles-  
 burg in Centre county, to Waterford in Erie county, which sum  
 shall be divided and apportioned in the following manner; that  
 is to say, five hundred dollars to be put in the hands of the com-  
 missioners of Centre county, two hundred of said sum of five  
 hundred dollars to be laid out and expended in improving so  
 much of said road as lies between Milesburgh and the west  
 branch of the river Susquehanna, and the remaining three hun-

**One thou-**  
**sand dollars**  
**granted.**

**How to be**  
**applied.**

dred dollars on that part of said road that lies between said river and Joseph Barnett's mill, and five hundred dollars to the commissioners of the counties of Venango, Crawford and Erie, which sum shall be apportioned to the use of the said counties, in proportion to the length of the road that passes through said counties respectively, to be laid out and expended in improving so much of that part of said road as lies between the river Allegheny at Holmans ferry, and Waterford in Erie county.

SECT. II. *And be it further enacted by the authority aforesaid,* That it shall be lawful for the commissioners of Centre county, and for the commissioners of the counties of Venango, Crawford and Erie, or a majority of them respectively, to contract with any person or persons for improving said road, or any part or parts thereof, within the limits assigned to them respectively, and to take such surety or sureties for the faithful performance of such contract or contracts as they or a majority of them may think necessary. Commissioners of Erie county, &c. to contract for improving the road.

SECT. III. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commissioners of Centre, Venango, Crawford and Erie counties, to render an account of the monies and expenditures aforesaid, to the auditors for settling the accounts of the commissioners and treasurers of their respective counties, who are hereby authorized to adjust and settle the same, and to allow said commissioners one dollar and thirty-three cents for every day they shall be necessarily employed in the performance of the duties required of them by this act, to be paid out of their respective counties. Said commissioners to account. Their compensation.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirty-first day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LXX.

A SUPPLEMENT to an act entitled, an Act authorizing the Governor to incorporate a company for making an artificial Road from the bank of the river Susquehanna opposite the borough of Harrisburgh to Pittsburgh.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of making an artificial or turnpike road from Harrisburgh to Pittsburgh, it shall and may be lawful for the Governor, and he is hereby authorized and required to in- Companies to be formed in each coun-

ty through  
which the  
road passes,  
&c.

corporate six companies on the terms and conditions in this act provided: ~~to wit~~ one company for making ~~and~~ <sup>and</sup> much of said road as may lie in the county of Cumberland; one for making so much of said road as may lie in the county of Franklin; one for making so much of said road as may lie in the county of Bedford; one for making so much of said road as may lie in the county of Somerset; one for making so much of said road as may lie in the county of Westmoreland; and one for making so much of said road as may lie in the county of Allegheny; and said companies when incorporated as hereinafter provided for shall, in conjunction by delegation or otherwise, view and lay down the route by which said road shall pass, combining shortness of distance with suitable ground and other conveniences from the river Susquehanna opposite Harrisburg, through Carlisle, Shippensburg, Chambersburg, McConnelstown, Bedford, Somerset, and Greensburg, to Pittsburg, but in all other cases said companies shall be considered separate and independent of each other to all intents and purposes.

Commission-  
ers appoint-  
ed to receive  
subscription-  
s.

SECT. II. *And be it further enacted by the authority aforesaid* That John Woomley, James Duncan, John Bowman, John Carothers, Samuel Weekley, Alexander Sharp, John McKee, Jacob Raum and John Simpson, for Cumberland county; Andrew Dunlap, Jacob Heiser, Thomas Green, Jacob Snyder, John R. Campbell, and Patrick McDowell for Franklin county; John Davis, Benjamin Martin, John Anderson, and Henry Wertz, jun. for Bedford county; Adam Miller, Ludwick Baker, Michael Rheem, John Kimmel, John Shull, Peter Kimmel, Frederick Neff, Alexander Ogle and John Campbell, for Somerset county; Thomas Jones, William Jack, John Irwin, Hugh Martin, and John M. Snowden, John Edgar, Joshua Budd, John Daley, and John Lobengier, for Westmoreland county; Nathaniel Irish, Thomas Beard, James O'Hara, Adamson Tannehill, John Woods, and George Robeson, for Allegheny county; be and they are hereby appointed commissioners to do and perform the several duties hereinafter mentioned: *that is to say*, each board of commissioners shall procure two books, and in each of them enter as follows, "We whose names are hereunto subscribed, do promise to pay to the president and managers of the Harrisburg and Pittsburg turnpike road company, within ~~the~~ county the sum of fifty dollars for every share set opposite to our respective names, in such manner and proportions and at such times and places as shall be determined by the said president and managers, in pursuance of an act of the General Assembly of this Commonwealth, entitled "A supplement to an act entitled, an act authorizing the Governor to incorporate a company for making an artificial road from the bank of the river Susquehanna opposite the borough of Harrisburg to Pittsburg."

Form of sub-  
scription.

Witness our hands the . . . day of . . . in the year of our Lord, one thousand eight hundred and . . . and shall give notice in at least one of the public papers printed in Philadelphia, Lancaster, Harrisburg, Carlisle, Chambersburg, Bedford, Somerset, Greensburg and Pittsburg, for one calendar month, of the times and places, when and where the said books will be open to receive subscriptions of stock for the proper company, at which respective times and places some three of the commissioners shall attend, and shall permit and suffer all persons of lawful age who shall offer to subscribe in the said books, which shall be kept open for the purpose aforesaid at least six hours in each judicial day for the space of six days, or until the said books for Cumberland county company, shall have subscribed in them nine hundred shares, those for Franklin county company eight hundred shares, those for Bedford county company eight hundred shares, those for Somerset county company four hundred shares, those for Westmoreland county company seven hundred shares, and those for Allegheny county company nine hundred shares; and if at the expiration of the said six days the books aforesaid, or any of them, shall not have the respective number of shares as aforesaid therein subscribed, the said commissioners respectively may adjourn from time to time, and transfer the said books from place to place, until the whole number of shares for such company as aforesaid shall be subscribed; at which adjournments and transfers the commissioners aforesaid shall give such public notice as the occasion may require, and every person offering to subscribe in any of the aforesaid books, in his or her own or any other name, shall previously pay to the attending commissioners three dollars for every share to be so subscribed, out of which shall be defrayed the expences attending the taking such subscriptions, and all other incidental charges, and the remainder shall be paid over to the treasurer of the corporation, as soon as the same shall be organized and the officers chosen as hereinafter mentioned.

SECT. III *And be it further enacted by the authority aforesaid,* That when fifty persons or more, shall have subscribed one-third of the number of shares aforesaid to each of the aforesaid companies, the proper commissioners may, or when the whole number of shares aforesaid shall be subscribed, they shall certify under their hands and seals the names of the subscribers and the number of shares subscribed by each to the Governor; and it shall and may be lawful for the Governor by letters patent under his hand and the seal of the state, to create and erect the subscribers to each particular company, into one body politic and corporate, in deed and in law, by the name, style, and title of "The president, managers, and company of the Harrisburg and Pittsburg turnpike road," and by the said name the said sub-

Notice to be given when the books will be open to receive subscriptions.

Who may subscribe.

The number of shares that may be subscribed in each book.

In case the books are not filled in six days the commissioners may adjourn from time to time.

Giving public notice thereof.

Payment on each share on subscribing;

expences to be paid therewith.

The number of subscribers necessary to obtain letters of incorporation.

Style of the corporation.

Its powers and immunities

scribers shall have perpetual succession, and all the privilege and franchises incident to a corporation, and shall be capable of taking and holding their said capital stock, and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing, taking and holding to themselves and their successors and assigns, and of selling, transferring and conveying in fee simple, or for any less estate all such lands, tenements, hereditaments and estate, real and personal, as shall be necessary to them in the prosecution of their works, and of suing and of being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do.

SECT. IV. *And be it further enacted by the authority aforesaid*

How and when the corporation shall be organized.

That the commissioners of each of the companies aforesaid shall as soon as conveniently may be, after the said letters patent shall be sealed and obtained, give notice in the public papers most suitable, of a time and place by them to be appointed, not less than twenty days from the publication of the first notice, at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes of the said subscribers by ballot, to be delivered in person or by proxy duly authorized, one president, twelve managers, one treasurer, and such other officers as they shall think necessary to conduct the business of the said company for one year, and until such other officers shall be chosen; and shall and may make such bye-laws, rules, orders and regulations not inconsistent with the constitution and laws of this commonwealth, as shall be necessary for the well-ordering the affairs of the said company: *Provided always*, That no person shall have more than five votes at any election, or in determining any question arising at such meeting, whatever number of shares he may be entitled to, and that each person shall be entitled to one vote for every share by him held under the said number.

Officers of the corporation.

Limitation of the number of votes to a subscriber.

SECT. V. *And be it further enacted by the authority aforesaid*

Of stated or special meetings of the company.

That the said companies respectively shall meet on the first Monday of January, in every year, at such place as shall be fixed by their bye-laws, for the purpose of choosing officers as aforesaid for the ensuing year in manner aforesaid, and at such other times as they shall be summoned by the managers in such manner and form as shall be prescribed by their bye-laws, at which annual or special meetings they shall have full power and authority to make, alter or repeal by a majority of votes, in manner aforesaid, all such bye-laws, rules, orders, and regulations as aforesaid, and to do and perform any other corporate act.

Powers of such meetings.

**SECT. VI.** *And be it further enacted by the authority aforesaid,* That the president and managers of each company first to be chosen as aforesaid, shall procure certificates to be written or printed, for all the shares of the stock of their company, and shall deliver one such certificate, signed by the president and countersigned by the treasurer, and sealed with the common seal of the said corporation, to each person for every share by him subscribed and held, he paying to the treasurer in part of the sum due thereupon, the sum of ten dollars for each share, which certificate shall be transferable at his pleasure, in person or by attorney, in the presence of the president or treasurer, subject however to all payments due and to grow due thereon, and the assignee holding any certificate, having first caused the assignment to be entered in a book of the company to be kept for the purpose, shall be a member of the corporation, and for every certificate by him held shall be entitled to one share of the capital stock, and of all the estates and emoluments of the company, and to vote as aforesaid at the meetings thereof.

Certificates  
of stock to  
be issued.

On payment  
of ten dollars  
for each  
share trans-  
ferable.

**SECT. VII.** *And be it further enacted by the authority aforesaid,* That the president and managers of each company shall meet at such times and places, and be convened in such manner as shall be agreed on for transacting their business, at which meetings seven members shall form a quorum, who in the absence of the president may choose a chairman, and shall keep minutes of all their transactions, fairly entered in a book; and a quorum being met, they shall have full power and authority to agree with and appoint all such surveyors, superintendants, artists and officers as they shall judge necessary to carry on the intended works, and to fix their salaries or wages, to ascertain the times, manner and proportions when, and in which the stockholders shall pay the money due on their respective shares, in order to carry on the work, to draw orders on the treasurer for all monies necessary to pay the salaries or wages of persons by them employed, and for the labour done and materials provided in the prosecution of the work, which orders shall be entered or registered in their book of minutes, and shall be signed by their president, or in his absence by a majority of a quorum, and countersigned by their secretary, and generally to do all such other acts, matters and things as by the bye-laws, rules, orders, and regulations of the company shall be committed to them.

Of the meet-  
ings of the  
managers.

Powers of  
such meet-  
ing.

**SECT. VIII.** *And be it further enacted by the authority aforesaid,* That if any stockholder, whether original subscriber or assignee, after thirty days notice in one of the public papers printed in the city of Philadelphia, and each county, as directed by the second section of this act, of the time and place appointed for the payment of any proportion or instalment of the said capital stock in order to carry on the work, shall neglect to pay

Forfeiture in  
case pay-  
ments on  
shares are  
not made  
when pub-  
licly called  
for.



such proportion at the place appointed, for the space of sixty days after the time appointed for the payment thereof, every such stockholder shall in addition to the instalment so called for, pay at the rate of five per centum per month for every delay of such payment, and if the same and the said additional penalty shall remain unpaid, for such space of time as that the accumulated penalty shall become equal to the sums before paid in part and on account of such share, the same may be forfeited by and to the said company, and may be sold by them to any person or persons willing to purchase for such price as can be obtained therefor, or in default of payment by any stockholder, of any such instalment as aforesaid, for the space of sixty days as aforesaid, the said president and managers may at their election cause suit to be brought before a justice of the peace, or in any court having competent jurisdiction for the recovery of the same, together with the penalty aforesaid: *Provided always*, That the recovery in any such suit shall in no case exceed the amount of such instalment or instalments as may be due on such share, together with such accumulated penalty, at the rate aforesaid, as shall equal the sums before paid on the same share: *And provided also*, That no stockholder whether original subscriber or assignee, shall be entitled to vote at any election or at any general or special meeting of the said company, unless the whole sum due and payable as aforesaid, on the share or shares by him held at the time of such election or general or special meeting of the said company, shall have been fully paid and discharged as aforesaid.

For which suits may be brought.

No stockholder entitled to vote unless the monies due on his shares are paid off.

Authority of the company to enter inclosures, &c.

SECT. IX. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful to and for the said president and managers, their superintendants, surveyors, engineers, artists, and chain-bearers, to enter into and upon all and every the lands, tenements and inclosures, in, through and over which the said intended turnpike road may be thought proper to pass, and to examine the ground most proper for the purpose, and the quarries and beds of stone and gravel and other materials in the vicinity, that will be necessary in making and constructing the said road, and to survey, lay down, ascertain, mark and fix such route or track for the same road, as in the best of their judgment and skill, will combine shortness of distance with the most eligible ground within the bounds of their proper district or county.

Authority to take materials, &c. for making the road.

SECT. X. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful to and for the president and managers of each of the aforesaid companies, by and with their superintendants, engineers, artists, workmen and labourers, with their tools and instruments, carts, waggons, wains and other carriages and beasts of draught or burden, to enter upon the

lands in, over, contiguous and near to which the route and track of the said intended road shall pass, first giving notice of their intention to the owners or occupiers thereof, and doing as little damage thereto as possible, and repairing any breaches they may make in the inclosures thereof, and making amends for any damages that may be done to any improvements thereon, upon a reasonable agreement, if they can agree, or if they cannot agree, then upon an appraisement to be made upon oath or affirmation, by three disinterested freeholders, or any two of them mutually to be chosen; or if the owners upon due notice shall neglect or refuse to join in the choice, then to be appointed by any justice of the peace of the proper county not interested therein, and upon tender of the appraised value to cut down, dig, take, and carry away any timber, stone, gravel, sand, earth, or other material there being most conveniently situated for making or repairing the said road.

SECT. XI. *And be it further enacted by the authority aforesaid,* That the said president and managers of the respective companies shall have power to erect permanent bridges over all the waters crossed by said route or track, wherever the same shall be found necessary, and shall cause a road to be laid out not exceeding fifty feet in width, unless in such places where the nature of the ground may render a greater width expedient, and then only with the consent of the owners of the contiguous land, and shall cause twenty feet thereof in breadth at least to be made an artificial road, which shall be bedded with wood, stone, gravel, or other proper and convenient materials, well compacted together, and of a sufficient depth to secure a solid foundation for the same, and the said artificial road shall be faced with gravel or stone pounded, or other small hard substance, in such manner as to secure a firm, and as nearly as the nature of the country and the materials will admit an even surface, rising towards the middle by a gradual arch, and shall for ever hereafter maintain and keep the same in perfect order and repair.

SECT. XII. *And be it further enacted by the authority aforesaid,* That so soon as the said companies shall have perfected the said road from Harrisburg to Pittsburg, they shall, or when any ten miles thereof is made by one company, such company may give notice thereof to the Governor of the commonwealth, who shall thereupon forthwith nominate and appoint three skilful and judicious persons to view and examine the same, and report to him whether the road is so far executed in a competent and workman-like manner, according to the true intent and meaning of this act; and if their report shall be in the affirmative, then the Governor shall by licence under his hand and the less seal of the commonwealth, permit and suffer the president and managers of such company to erect and fix such and so many

Mode of assessing damages.

Companies to erect bridges.

Width of the road.

How and when the Company may obtain licence to erect gates

gates or turnpikes upon and across the said road as will be necessary and sufficient to collect the tolls and duties herein after granted to the said company from all persons travelling in the same with horses and carriages.

Appoint-  
ment of toll-  
gatherers.

Rates of  
toll.

SECT. XIII. *And be it further enacted by the authority aforesaid,* That the said company having perfected the said road or such part thereof from time to time as aforesaid, and the same being examined, approved and licensed as aforesaid, it shall and may be lawful for them to appoint such and so many toll-gatherers as they shall think proper to collect and receive of and from all and every person and persons using the said road, the tolls and rates hereinafter mentioned, and to stop any person riding, leading or driving any horse, sulkey, chair, chaise, phaeton, cart, waggon, wain, sleigh, sled, or other carriage of burden or pleasure from passing through the said gates or turnpikes until they shall respectively have paid the same: *that is to say,* For every space of five miles in length of the said road, the following sums of money, and so in proportion for any greater or less distance; for every horse or mule ladened or unladened with his rider or leader, three cents; for every sulkey, chair, or chaise with two wheels and drawn by one horse, six cents, and with two horses, nine cents; for every chair, coach, phaeton, chaise, stage, waggon, coachee or light-waggon, having four wheels and drawn by two horses, twelve and a half cents; for either of the carriages last mentioned, with four horses, twenty cents; for every other carriage of pleasure, under whatever name it may go, the like sums according to the number of wheels and of horses drawing the same; for every sleigh or sled, two cents for each horse drawing the same; for every cart or waggon or other carriage of burden, the wheels of which do not in breadth exceed four inches, four cents for every horse drawing the same; for every cart or waggon, the wheels of which shall exceed in breadth four inches, and shall not exceed seven inches, three cents for each horse drawing the same; for every cart or waggon the breadth of the wheels of which shall be more than seven inches, and not more than ten inches, or being of the breadth of seven inches and shall roll more than ten inches, two cents for each horse drawing the same; for every cart or waggon the breadth of the wheels of which shall be more than ten inches and not exceed twelve inches, or being ten inches, shall roll more than fifteen inches, one cent and a half for each horse drawing the same; and for any such carriage the breadth of the wheels of which shall be more than twelve inches, one cent for each horse drawing the same; and when any such carriage aforesaid, shall be drawn by oxen or mules, in the whole or in part, two oxen shall be estimated equal to one horse and

every ass or mule as equal to one horse in charging the aforesaid tolls.

SECT. XIV. *And be it further enacted by the authority aforesaid,* That if any person or persons owning, riding in or driving any carriage of burden or pleasure as aforesaid, or owning, riding, leading or driving any horse or mule as aforesaid, shall with an intent to defraud the said companies, or to evade the payment of any of the tolls or duties aforesaid, pass therewith through any private gate or bar, or along, or over any private passage-way, or along or over any other ground or land near to or adjoining any turnpike or gate, which shall be erected in pursuance of this act, or if any person or persons shall with the intent aforesaid, take off or cause to be taken off any horse or other beast or cattle of draught or burden from any carriage of burden or pleasure, or shall practise any other fraudulent means or device, with the intent to evade or lessen the payment of any such toll or duty, all and every such person or persons offending in manner aforesaid, shall for every such offence respectively forfeit and pay to the president, managers, and company of the proper district, fifteen dollars, to be sued for and recovered with costs of suit, before any justice of the peace, in like manner and subject to the same rules and regulations as debts of equal amount may be sued for and recovered.

Penalty for attempting to evade the payment of toll.

SECT. XV. *And be it further enacted by the authority aforesaid,* That if the said companies or either of them, shall neglect to keep their part of the said road in good and perfect order and repair, for the space of fifteen days, and information thereof shall be given to any justice of the peace of the proper county, such justice shall issue a precept, to be directed to any constable, commanding him to summon three judicious freeholders to meet at a certain time, in the said precept to be mentioned at the place in the said road complained of, of which meeting notice shall be given to the keeper of the gate or turnpike nearest thereto, and the said justice shall at such time and place by the oaths or affirmations of the said freeholders, inquire whether the said road or any part thereof is in such good and perfect order and repair as aforesaid, and shall cause an inquisition to be made under the hands and seals of himself and a majority of the said freeholders; and if the said road shall be found by the said inquisition to be out of order and repair according to the true intent and meaning of this act, he shall certify and send one copy of the said inquisition to each of the keepers of the turnpikes or gates between which such defective place shall be, and from thenceforth the tolls hereby granted to be collected at such turnpikes or gates for the intermediate distance between them shall cease to be demanded, paid or collected, until the said defective part or parts of the said road shall be put into good and perfect order and repair as aforesaid, but if the same shall not be put into

Provision in case the Company do not keep the road in good repair.

good and perfect order and repair, before the next ensuing court of quarter sessions of the proper county, the said justice shall certify and send a copy of the said inquisition to the justices of the said court, and the said court shall thereupon cause process to issue, and bring in the bodies of the person or persons entrusted by the company with the care and superintendence of such part of the said road as shall be found defective as aforesaid, and shall direct a bill of indictment to be sent to the grand inquest against the person or persons entrusted as aforesaid, and upon conviction shall give such judgment, according to the nature and aggravation of the neglect, as the said court in their discretion shall judge proper: *Provided*, The fine in no instance shall be less than ten dollars, nor exceeding one hundred dollars, and the fines so to be imposed shall be recovered in the same manner as fines for misdemeanors are usually recovered in the said counties, and shall be paid to the supervisors of the highways of the place where the offence was committed, to be applied to repairing such highways as the township or county is bound to repair at the public expence thereof.

Appropriation of the penalties.

Fair accounts to be kept by the company of monies received;

And annual meeting submitted to the general meeting of the stockholders.

If the capital stock should be insufficient new shares may be subscribed.

SECT. XVI. *And be it further enacted by the authority aforesaid*, That the president and managers of each of the said companies shall keep fair and just accounts of all monies which shall be received by them from the said commissioners, and from the subscribers for the stock of the said company on account of their several subscriptions, and of all penalties for the delay in the payment thereof, and of the amount of the profit on the shares which may be forfeited as aforesaid, and also all monies by them to be expended in the prosecution of their said work; and shall at least once in every year submit such accounts to a general meeting of the stockholders, until their part of the said road shall be completed, and until all the costs, charges and expences of effecting the same shall be fully paid and discharged, and the aggregate amount of such expences shall be liquidated and ascertained, and if upon such liquidation or whenever the whole capital stock of the said company shall be nearly expended, it shall be found that the said capital stock will not be sufficient to complete their part of the said road according to the true intent and meaning of this act, it shall and may be lawful for the said president, managers and company at a stated or special meeting to be convened according to the provisions of this act or their own bye-laws, to increase the number of shares to such extent as shall be deemed sufficient to accomplish the work, and to demand and receive the monies subscribed for such shares, in like manner and under the like penalties as are herein-before provided for the original subscriptions, or as shall be provided by their bye-laws.

SECT. XVII. *And be it further enacted by the authority aforesaid*,

That the president and managers of each of the said companies, shall also keep a just and true account of all the monies to be received by their several and respective collectors of tolls, at the several gates or turnpikes on the said road, from the beginning to the end thereof, or such part thereof as shall from time to time be completed as aforesaid, and shall after the said road is completed or so much thereof as it may from time to time be deemed expedient to make and finish, make and declare a dividend of the clear profits and income thereof, all contingent costs and charges and a reasonable fund for repairs and for the progressive improvement and accomplishment of the said work, being first deducted and reserved among all the subscribers to the stock of the said company, and shall on the first Monday in February and August in every year, publish the half yearly dividend, to be made of the clear profits among the stockholders, and of the time and place when and where the same will be paid, and shall cause the same to be paid accordingly.

Accounts of the tolls shall be kept ;

And the profits divided half yearly.

SECT. XVIII. *And be it further enacted by the authority aforesaid,*

That the president and managers of each of the aforesaid companies shall at the end of every third year from the date of their incorporation until two years next after their portion of said road shall be completed, lay before the General Assembly of this commonwealth, an abstract of their accounts, shewing the amount of their capital expended in prosecution of the said work, and of the income and profits arising from the said toll, for and during the said respective periods, together with an exact account of the costs and charges of keeping the said road in repair, and all other contingent costs and charges, to the end that the clear annual income and profits thereof may be known and ascertained, and if at the end of two years after the said road shall be completed, from the beginning to the end thereof, it shall appear from the average profits of the said two years, that the said clear income and profits thereof, will not bear a dividend of six per centum per annum, on the whole capital stock of the said company so expended, and on the interest accrued on such expenditure during the time wherein the work shall have been prosecuting before the receipt of toll, then it shall and may be lawful for the president and managers of such company, to increase the tolls herein-before allowed according to such rate upon the same, as will raise the dividend up to six per centum per annum as aforesaid, and at the end of every ten years after the said road shall be fully completed as aforesaid, they shall render to the General Assembly a like abstract of their accounts for the three preceding years, and if at the end of any such decennial period, it shall appear from such abstract, that the clear profits and income of any of the said companies will bear a dividend of more than nine per centum per annum, then the said

An abstract of the accounts to be laid before the Assembly triennially ;

And if the clear profits will not be six per cent. per annum, the tolls may be increased.

If more than nine per cent. to be reduced.

toll shall be so reduced as will reduce the said dividend down to nine per centum per annum.

**Index posts to be erected :**  
**And mile stones.**  
**And at each gate certain other information to travellers.**

**SECT. XIX.** *And be it further enacted by the authority aforesaid,* That the said company shall cause posts to be erected at the intersection of every road leading out of the said turnpike road, with boards and index-hands pointing to the direction of such roads on both sides, on which boards shall be inscribed in legible characters, the names of the towns or places to which such roads respectively lead, and the distance thereto in measured or computed miles, and shall also cause mile-stones to be placed on the side of the said road, beginning at the distance of one mile from the river Susquehanna, and extending thence to Pittsburg, on which stones shall be marked in plain legible characters, the respective number of miles which each stone is distant from the city of Philadelphia, and at every gate or turnpike by them to be erected on the said road, shall cause the distances from the city of Philadelphia and Pittsburg, and the distances from the nearest gate or turnpike in each direction to be marked in legible characters, designating the number of miles and fractions of a mile on the said gates, or some other conspicuous place near thereto, and also shall cause to be affixed at such places a printed list of the rates of toll, which from time to time may lawfully be demanded, for the information of travellers and others using the said road.

**Penalty for injuring mile stones ;**  
**or direction posts ;**  
**Or any inscriptions on any of the gates.**  
**How recoverable.**

**SECT. XX.** *And be it further enacted by the authority aforesaid,* That if any person or persons shall wilfully break, deface or prostrate any mile-stones which shall be placed in pursuance of this act on the side of the said road, or shall obliterate the letters or figures inscribed thereon, and if any person or persons shall wilfully break, pull down, deface, destroy or injure, any direction-post which shall be erected in pursuance of this act at the intersection of any road as aforesaid, or the board or index-hand affixed thereto in conformity with the directions of this act, or shall obliterate the letters or figures inscribed or marked thereon, or if any person or persons shall destroy, deface, or obliterate the letters, figures, or other characters, marked at any turnpike or gate which shall be erected in pursuance of this act, for all or any of the purposes therein mentioned, or the whole or any part of any printed list of the rates of tolls, which shall be affixed in pursuance of the directions of this act at any such gate or turnpike, he or they so offending in the premises and each of them shall for every such offence, severally and respectively, forfeit and pay to the said president, managers and company, any sum not exceeding twenty dollars, to be sued for and recovered with costs of suit, as debts of equal amount are or may be by law recoverable.

**SECT. XXI.** *And be it further enacted by the authority aforesaid,*

That all waggoners, carters, and drivers of carriages of all kinds, whether of burden or pleasure, using the said road, shall, except when overtaking and passing by a carriage of slower draught, keep their horses and carriage on the right-hand side of the said road in the passing direction, leaving the other side of the said road free and clear for other carriages to pass; and if any waggoner, carter or driver shall offend against this provision, he shall forfeit and pay any sum not exceeding ten dollars, to any person who shall by reason thereof be obstructed in his passage, and will sue for the same, to be recovered with costs in manner aforesaid.

Regulations  
for persons  
travelling on  
the roads.

And penalty  
for non com-  
pliance.

SECT. XXII. *And be it further enacted by the authority aforesaid,* That if any toll-gatherer on the said road shall demand and receive from any person or persons using the said road, any greater or other toll than by this act is authorized and allowed, such toll-gatherer shall forfeit and pay the sum of twenty dollars for every such offence, one-half to the use of the poor of the proper township, or county as the case may be, the other half to the use of the person or persons suing for the same, to be recovered before any justice of the peace of the county in which the forfeiture shall be incurred.

Penalty for  
extortion in  
toll gather-  
ers.

Appropriation.

How recov-  
erable.

SECT. XXIII. *And be it further enacted by the authority aforesaid,* That if in the case of any suit or prosecution which shall be commenced under the directions of this act, for any penalty incurred under the same, whether by or against the said company or agents, the said suit or prosecution shall not be sustained by the plaintiff or prosecutor, then, and in such case the person or persons prosecuted as aforesaid, shall recover by the judgment of the justice before whom such suit or prosecution shall be depending, such sum, not exceeding the amount of the penalty for which the suit or prosecution shall be commenced, as shall by such justice be deemed a reasonable retribution for the vexation of such suit or prosecution.

Penalty for  
vexatious  
prosecutions.

SECT. XXIV. *And be it further enacted by the authority aforesaid,* That no suit or action shall be brought or prosecuted, by any person or persons for any penalty incurred under this act, unless such suit or action shall be commenced within six months next after the fact charged is said to have been committed, and the defendant or defendants in such suit or action, may plead the general issue and give this act, and the special matter in evidence, and that the same was done in pursuance and by the authority of this act.

No actions to  
be brought  
unless with-  
in six months  
after the fact  
charged.

SECT. XXV. *And be it further enacted by the authority aforesaid,* That if the said companies shall not proceed to carry on the said work within three years after the passing of this act, or shall not within twenty years thereafter complete the said road, according to the true intent and meaning of this act, then in either of those

In what time  
the company  
shall com-  
mence and  
finish the  
work.



cases, it shall and may be lawful for the legislature to resume all and singular the rights, liberties, privileges and franchises by this act granted to the said companies, or any of them.

The tolls received by the respective companies to be by them exclusively appropriated, until the whole road be completed.

The companies then to be consolidated.

Where the company for Franklin county shall begin their road; not to receive toll until a particular portion of the road be done.

The act to which this is a supplement suspended until the completion of the whole road.

SECT. XXVI. *And be it further enacted by the authority aforesaid* That until the whole of the said road from Harrisburg to Pittsburg shall be completed, the said companies respectively shall have power to receive and appropriate the tolls herein granted to the proprietors of the fractional parts of the said road, from which the said tolls shall respectively arise in proportion to their stock therein; and as soon as the whole of the said road shall be completed from Harrisburg to Pittsburg, the said companies respectively shall deliver up to the governor to be cancelled, their respective charters of incorporation, and the said companies shall thereafter become one body politic, or corporation in law, and the whole stock of the said companies shall be consolidated agreeably to the intention of the act to which this is a supplement, which shall thereafter be and continue in full force and virtue; and the Governor shall, by a new charter incorporate the said companies respectively into one corporation or body politic, as is directed in the act to which this is a supplement, on the terms and conditions therein provided.

SECT. XXVII. *And be it further enacted by the authority aforesaid* That the company to be incorporated for the county of Franklin, shall begin to make the road apportioned to the said company, at the line of the county of Cumberland leading from Shippensburg to Chambersburg and not elsewhere, and shall not receive toll on any part of the road to be made by them, until the road shall be completed from the Cumberland county line to Chambersburg, any thing in this act to the contrary notwithstanding.

SECT. XXVIII. *And be it further enacted by the authority aforesaid* That until the whole of the said road from Harrisburg to Pittsburg shall be completed, the operation of the act to which this is a supplement, shall be, and the same is hereby suspended.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirty-first day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LXXI.

*An ACT to enable the Governor to incorporate a company for making an artificial road by the best and nearest route, from the borough of York to the Maryland line, at the place the present York road passes the same, or as near thereto as the commissioners shall find expedient.*

SECTION I. **B**E it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,

That Adam Hendrix, George Lotman, George Bard, Caleb Kirk, Philip Frederick, Robert Hamersly, Jacob Louks, Isaac Kirk and John Brillinger, from the county of York, be, and they are hereby appointed commissioners to do and perform the several things hereinafter mentioned: that is to say, they shall on or before the first Monday in May next, procure two

books, and in each of them enter as follows, " We whose names are hereunto subscribed, do promise to pay to the president, managers and company of the York and Maryland line turnpike road, the sum of one hundred dollars for every share of stock in said company set opposite our respective names, in such manner and proportions and at such times, as shall be determined by the president and managers of the said company, in pursuance of an act of the general assembly of this commonwealth, entitled " An act to enable the Governor to incorporate a company for making an artificial road by the best and nearest route from the borough of York to the Maryland line, at the place the old York road passes the same, or as near

thereto as the commissioners shall find expedient, and shall thereupon give notice in two of the public papers printed in the borough of York (one of which to be in the German language), and in one of the public papers printed in the borough of Carlisle, in the county of Cumberland respectively, for one calendar month at least, of the times and places when and where the said books shall be kept open to receive subscriptions for the stock of the said company, at which respective times and places, some

two of the said commissioners shall attend, and permit and suffer all persons of lawful age who shall offer to subscribe in the said books, in their own name or the names of any other persons who shall duly authorize the same, for any number of shares in the said stock; and the said books shall be kept open respectively for the purpose aforesaid, at least six hours in every judicial day, for the space of six days, or until the said books opened at the borough of York shall have seven hundred and fifty shares therein subscribed, and if at the expiration of the said six days, the books aforesaid shall not have the number of shares aforesaid therein subscribed, the said commissioners may adjourn from time to time, and transfer the said books from the borough of York elsewhere, until the whole number of shares shall be subscribed, of which adjournments and transfer, the commissioners aforesaid shall give such public notice as the occasion may require, and when the whole number of shares subscribed in all the said books, shall amount to seven hundred and

fifty, the same shall be closed: *Provided always* That every

Commissioners named for the purpose of receiving subscriptions to the York and Maryland line turnpike road.

Form of subscription.

Commissioners to give notice of the times and places of opening the books.

Who may subscribe.

How long the books are to be kept open.

Of adjournments of the commissioners.

10 dollars on each share to be paid at the time of subscribing.

person offering to subscribe in the said books in his own or any other name, shall previously pay to the attending commissioners the sum of ten dollars, for every share to be subscribed, out of which shall be defrayed the expences attending the taking such subscriptions and other incidental charges, and the remainder shall be paid over to the treasurer of the corporation as soon as the same shall be organized and the officers chosen as hereafter mentioned.

When the company may be incorporated.

SECT. II. *And be it further enacted by the authority aforesaid,* That when fifty persons or more shall have subscribed one hundred and fifty shares of the said stock, the commissioners shall certify under their hands and seals the names of the subscribers, and the number of shares subscribed by each, to the Governor of this commonwealth, and thereupon it shall and may be lawful for the Governor by letters patent under his hand and the seal of the state, to create and erect the subscribers; and if the said subscriptions be not full at the time, then also, those who shall afterwards subscribe to the number aforesaid, into one body politic and corporate, in deed and in law, by the name, style and title of "The president, managers and company of the York and Maryland line turnpike road," and by the said name, the subscribers shall have perpetual succession and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding their said capital stock and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing, taking and holding to them and their successors and assigns, and of selling, transferring and conveying in fee simple or for any less estate, all such lands, tenements, hereditaments and estates, real and personal, as shall be necessary to them in the prosecution of their works, and of suing and being sued, and of doing all and every other matter and thing, which a corporation or body politic may lawfully do.

Style of the corporation. It's privileges and immunities.

Commissioners to give notice to the subscribers to meet for organizing the company.

SECT. III. *And be it further enacted by the authority aforesaid,* That the commissioners aforesaid, as soon as conveniently may be, after said letters patent shall be sealed and obtained, shall give notice in two of the public papers in the borough of York, (one of which shall be in the German language) and also in one of the public papers in the borough of Carlisle respectively, of a time and place by them to be appointed not less than twenty days from the publication of the first notice, at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes of the said subscribers by ballot to be delivered in person or proxy duly authorized,

Officers to be chosen.

officers as they shall think necessary to conduct the business of the said company for one year, and until such other officers shall be chosen, and shall and may make such bye-laws, rules, orders and regulations not inconsistent with the constitution and laws of this Commonwealth, as shall be necessary for the well-ordering the affairs of the said company; and generally have like powers, authorities and privileges necessary for carrying on and completing the said turnpike road, and be subject to all the duties, qualifications, restrictions, penalties, fines and forfeitures, and be entitled to like tolls and profits as are given and granted to the president, managers and company of the Susquehanna and York borough turnpike road.

Of the bye-laws, &c.

General powers immunities, duties, &c. of the company.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the time granted to the president, managers and company of the Susquehanna and York borough turnpike road, to commence the making of the said road, be, and the same is hereby extended to the first day of April, one thousand eight hundred and ten.

Time for beginning the Susquehanna and York turnpike, extended.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirty-first day of March, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LXXII.

An ACT to raise by way of lottery, a sum of money for the purpose of improving the navigation of Penn's creek, in Northumberland county.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Templeton, George Long, Robert Barber, Peter Fisher, James Duncan, Adam Wilt, Christopher Seebold, jun. George Weyrick, be and they are hereby appointed commissioners to raise by way of lottery four thousand dollars, to be by them applied for removing all natural and such artificial obstructions as are not authorized by law, out of Penn's creek, in the county of Northumberland, from the mouth thereof to Green's saw-mill.

Commissioners named.

Sum to be raised and how to be applied.

SECT. II. *And be it further enacted by the authority aforesaid,* That the said commissioners respectively, before they proceed to sell any tickets in the said lottery, shall lay such scheme thereof before the Governor as shall meet his approbation, and

Commissioners before they proceed to sell the tickets.

scheme of the lottery before the Governor. Give bonds, &c. Attend the drawing of the lottery, &c.

ful performance of their duty, in selling the tickets, drawing the lottery and paying the prizes, and each of them before entering on the duties of his appointment, shall take and subscribe an oath or affirmation before the president of the proper district or any of the associate judges of the proper county, diligently and faithfully to perform the duties intrusted to him, and at least three of the said commissioners shall attend each day's drawing of the said lottery, and when it is completed the commissioner respectively or a majority of them shall cause an accurate list of the fortunate numbers to be published in the following newspapers: viz. Mayer's German paper and the Northumberland Argus.

Further duties of the commissioners.

SECT. III. *And be it further enacted by the authority aforesaid* That the said commissioners respectively, be, and they are hereby authorized to settle and adjust all accounts which may be exhibited by any person or persons legally employed in carrying this act into effect, and that all expenses necessarily attending the same shall be paid by the treasurer who may be appointed by the said commissioners on orders drawn by them or a majority of them out of the nett proceeds of the said lottery.

What prizes to be considered as relinquished for the benefit of the scheme.

SECT. IV. *And be it further enacted by the authority aforesaid* That all prizes not demanded within twelve months, after the publication as aforesaid shall be considered as relinquished for the benefit of the particular object of the said lottery.

SIMON SNYDER, *Speaker of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirty-first day of March, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LXXII.

*An ACT granting an annuity to Archibald M'Fall.*

WHEREAS Archibald M'Fall of Chester county, hath represented to the legislature, that he enlisted in the service of his country, at an early period of the American revolution, and faithfully fought in his country's cause in the Pennsylvania line, second brigade and fifth regiment, and after experiencing the severities of seven glorious campaigns, a rigid captivity, and two wounds, he was permitted to retire from the field, that he hath not received any donation land or other legislative bounty, that he is far advanced in life, is now incompetent to gain a livelihood by personal labour: And whereas the gratitude

and humanity of the commonwealth, require legislative attention in cases of this kind : Therefore,

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That an annuity of forty dollars be granted for the use of Archibald M'Fall, to be paid half yearly to John G. Bull, of Chester county, his executor or executors, administrator or administrators, his or their lawful attorney, to commence from the first day of January one thousand eight hundred and seven, on warrants to be drawn by the Governor on the State-treasurer, which annuity shall be expended by the said John G. Bull, his executor or executors, administrator or administrators, his or their lawful attorney, in providing clothing, lodging and diet, for the said Archibald M'Fall; and it shall be and is hereby made the duty of the said John G. Bull, his executor or executors, administrator or administrators, his or their lawful attorney to make an annual return to the Orphans' court of Chester county, on oath or affirmation, how and in what manner he or they have executed the trust in him or them confided by this act.

An annuity  
of 40 dollars  
granted to  
A. M'Fall.

**SIMON SNYDER,** *Speaker  
of the House of Representatives.*

**P. C. LANE,** *Speaker of the Senate.*

**APPROVED**—the thirty-first day of March, in the year one thousand eight hundred and seven.

**THOMAS M'KEAN.**

## CHAPTER LXXIV.

*An ACT to authorize the Secretary of the Land-office to sign patents for land and land warrants.*

**BE** it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the secretary of the Land office be, and he is hereby authorized and required to sign all patents and warrants that have issued and are not already signed, and that shall issue before the first day of January next, and the same shall be as available in law to all intents and purposes as if the same had been signed by the Governor.

Secretary of  
the Land  
office autho-  
rized to sign  
patents for  
land until  
the 1st of  
January  
1808.

**SIMON SNYDER,** *Speaker  
of the House of Representatives.*

**P. C. LANE,** *Speaker of the Senate.*

**APPROVED**—the fourth day of April, in the year one thousand eight hundred and seven.

**THOMAS M'KEAN.**

## CHAPTER LXXV.

*An ACT to raise by way of Lottery, a sum of money to defray the expences incurred by the Trustees of the German Lutheran Congregation, in and near the borough of Lancaster.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Conrad Swartz, Michael Gundacker, George Messersmith, John Gundacker, Benjamin Shaum, Peter Shindle, Leonard Eichholtz, Jacob Stahl, Jonas Metzgar, John Burg, Christopher Kurtz, John Hoff and Henry Swentzel, be, and they are hereby appointed commissioners to raise by way of lottery a sum of money not exceeding three thousand six hundred dollars, to be by them applied to the payment of the debts of the German Lutheran congregation, in and near the borough of Lancaster, contracted in the erection of a steeple to their house of worship.

Names of  
the commis-  
sioners.

Sum to be  
raised.

For what  
purpose.

Duties of  
the commis-  
sioners.

For the faith-  
ful perform-  
ance of  
which they  
shall be  
under oath,  
&c. and en-  
ter into  
bonds, &c.

Commission-  
ers author-  
ized to pay in-  
cident ex-  
pences.

Prizes not  
demanded  
within one  
year, to be  
considered  
as relin-  
quished for  
the use of  
the com-  
pa-

**SECT. II.** *And be it further enacted by the authority aforesaid,* That the said commissioners before they proceed to sell any tickets in the lottery aforesaid, shall lay such scheme thereof before the Governor as shall meet his approbation, and enter into bonds to him for the due performance of their duty in selling the tickets, drawing the lottery, and paying the prizes; and each of them before entering on the duties of his appointment shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby entrusted to him, and two or more of said commissioners shall attend at the drawing of each day, and when the whole is completed shall cause an accurate list of the fortunate numbers to be published in the English and German papers printed in the borough of Lancaster, and shall pay and discharge the prizes that shall be demanded by persons legally entitled thereto, within sixty days after the drawing shall be completed.

**SECT. III.** *And be it further enacted by the authority aforesaid,* That the said commissioners be, and they are hereby authorized to settle and adjust all the accounts which may be exhibited by any person or persons legally employed in carrying this act into effect, and that all expences attending the same, shall be paid by the said commissioners out of the proceeds of the said lottery.

**SECT. IV.** *And be it further enacted by the authority aforesaid,* That all prizes not demanded within twelve months next after publication as aforesaid, shall be considered and deemed as relinquished for the benefit of the aforesaid congregation.

SIMON SNYDER, *Speaker*  
of the House of Representatives.  
P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of April, in the year one thousand eight hundred and seven. THOMAS M'KEAN.

## CHAPTER LXXVI.

**A SUPPLEMENT** to an act, entitled "*An act to enable the Governor of this commonwealth to incorporate a company for making an artificial road from Lancaster through Elizabethtown to Middletown.*"

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of a certain act, entitled "*A further supplement to the act, entitled 'An act for making an artificial road from the city of Philadelphia to the borough of Lancaster,'*" passed the fourth day of April one thousand seven hundred and ninety-eight, be, and the same are hereby extended, granted to, and vested in the president, managers and company of the Lancaster, Elizabethtown and Middletown turnpike road, who shall have, hold and enjoy the same powers, privileges and protections therein contained until the determination of the right of the said company to take toll on the said road, as fully and amply and to all intents and purposes as if the several sections of the said recited act had herein been re-enacted.

**SECT. II.** *And be it further enacted by the authority aforesaid,* That the president, managers and company aforesaid, are hereby authorized to erect or cause to be erected a permanent bridge over the Swatara creek, in the county of Dauphin, on the route of the turnpike road, the property of which bridge as soon as the same shall be erected, shall be vested in the said president, managers and company: *Provided nevertheless,* That any damage done to the property of individuals in constructing and erecting said bridge, shall be ascertained and compensated in the manner directed in and by the ninth section of the act to which this is a supplement; and as soon as the said bridge shall be erected, the Governor when fully ascertained thereof, shall by licence under his hand and the lesser seal of the commonwealth, permit and suffer the said president, managers and company to erect a gate upon or near the said bridge, to collect the tolls and duties hereinafter granted to the said company, from all persons passing over the same, with horses, cattle, carts and carriages, or on foot; that is to say, for every coach, landau, phaeton, stage, waggon or other pleasurable carriage with four wheels drawn by four horses or mules, the sum of twenty cents; and for any such carriage drawn by two horses or mules, the sum of twelve cents; and for every such carriage drawn by one horse or mule, the sum of nine cents; for every waggon with four horses or mules, the sum of seventeen cents; and for every carriage of the same description drawn by two horses or mules, the sum of twelve cents; for every chaise, riding chair, sulkey, cart or

Certain provisions in the act in incorporating the Philadelphia and Lancaster turnpike company extended to the Lancaster and Middletown turnpike company.

Authorized to erect a bridge over Swatara creek.

Compensation to be made individuals for injury done thereby.

Governor to grant a licence for receiving tolls for passing the bridge.

Rate of tolls.



other two wheeled carriage, or a sleigh or sled with two horses or mules, the sum of nine cents, and so in proportion if more horses or mules are added to the number herein mentioned; and for such carriage drawn by one horse or mule, the sum of six cents; for a single horse or mule and rider, the sum of three cents; for every led horse or mule, the sum of two cents; for every foot passenger the sum of one cent; for every head of horned cattle, the sum of one cent; for every sheep and swine, the sum of half a cent: and if any toll-gatherer shall demand and receive a greater toll from any person or persons than such toll-gatherer is authorized to demand and receive by virtue of this act, such toll-gatherer shall forfeit and pay the sum of twenty dollars for every such offence, to be applied to the repair of the roads in the townships in which such bridge is situated; for which said company shall be responsible, and a written or printed list of the tolls herein granted, shall be placed on or near said bridge for the information of passengers.

Penalty for receiving more toll than is here-by allowed.

To what purpose the forfeiture is to be applied.

Estimate of oxen in fixing toll.

On what principles the toll may be extinguished.

The company to leave a sufficient road to ford the creek.

SECT. III. *And be it further enacted by the authority aforesaid,* That in fixing the toll of all carriages, drawn wholly or in part by oxen, two oxen shall be estimated equal to one horse.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the right of the company to take toll on the said bridge, shall be subject to be extinguished upon the principles contained in the twenty-fifth section of the act to which this is a supplement.

SECT. V. *And be it further enacted by the authority aforesaid,* That the said company in constructing and erecting said bridge, shall leave a sufficient road to enable any person or persons desirous to pass over the fording of the said creek, to pass and repass the same, if he, she, or they shall choose so to do.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LXXVII.

A SUPPLEMENT to the act entitled, “An Act directing the mode of selecting and returning Jurors.”

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the assessors of the several town-

ships and districts within this commonwealth, and of the assessors of the several wards in the city of Philadelphia, and of each borough, to return the names of all the white male taxable citizens, liable to serve as jurors, of competent ability, understanding, and knowledge of the English language, to the county commissioners of their respective counties; and it shall be the duty of the county commissioners aforesaid, to deposit the names of the persons so returned to them, in the proper wheels in proportion to the numbers requisite for each; and every assessor, or county commissioner who shall neglect or refuse to perform the duties assigned to them by this act, shall forfeit and pay the sum of fifty dollars for every such neglect or refusal: *Provided, always,* That the said commissioners and assessors, before they proceed to the duties assigned to them by this act, shall be sworn or affirmed to a faithful discharge thereof.

Assessors required to return the names of white male citizens to county commissioners to serve as jurors of competent ability, &c. County commissioners to deposit them in the wheels. Penalty for neglect, &c.

SECT. II. *And be it further enacted by the authority aforesaid,* That whenever any process shall be issued for summoning a jury in any of the courts of this Commonwealth, the sheriff shall immediately on receiving the same, give notice thereof to the county commissioners who, or any two of them with the sheriff, shall proceed to draw out of the proper wheel as many of the slips of paper therein contained, as there are jurors to be summoned upon such process, and the names contained on such slips of paper, shall be the persons who are to be summoned to serve as jurors at the then next court, unless any of them shall be dead, or shall have changed their place of residence to any other county, or be absent from the county, and if the persons named on any of the said slips of paper so drawn, shall be dead or removed, then they shall destroy such slips of paper, and proceed to draw out of the said wheel until the said panel shall be completed, and it shall be the duty of the sheriff to summon the several persons whose names are so drawn out, at least ten days previous to the sitting of any such court, and to make return in what manner he has served such process.

Commissioners on receiving notice from the sheriff to draw from the wheels a sufficient number of jurors.

How the places of absentees are to be supplied.

SECT. III. *And be it further enacted by the authority aforesaid,* That the prothonotaries or clerks of the several courts shall after the end of each term or session, certify to the sheriff and commissioners, the names of the jurors who appeared and served at such court, and also those who made default, or were excused from serving, or were privileged or exempted from serving on juries; and the names of those who made default, or were excused from serving, shall be returned immediately to the wheel from which they were drawn, and those who were privileged or exempted from serving shall not again be put into the wheel.

Prothonotaries to return to the sheriff and commissioners, defaulting jurors, &c.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the said assessors shall at the end of every term of three years, and oftener if all the names shall be sooner drawn from the said wheels make return in manner aforesaid, of all the taxable

Assessors to make their return triennially, when

all the names are again to be deposited in the wheel. but no juror to be compelled to serve twice in one year.

Number of jurors to be drawn in common pleas and nisi prius of Philadelphia county; in other counties.

When this act to take is effect. When the fifth section is to go into operation.

citizens qualified as herein before mentioned, and the names of the persons so returned shall again be deposited in the proper wheels: *Provided*, That if the name of any person shall be drawn from the wheel who has served as a juror within one year preceding the said drawing, he shall not be compelled to serve, but his name shall be returned to the wheel and another drawn in his stead.

SECT. V. *And be it further enacted by the authority aforesaid*, That the number of special jurors to be drawn, summoned and returned to serve in the court of common pleas of Philadelphia county, and in the court of nisi prius holden in said county, shall be forty-eight, and the number of general or common jurors shall not be less than forty eight, nor more than sixty; and in any other county not less than thirty-six, nor more than sixty.

SECT. VI. *And be it further enacted by the authority aforesaid*, That this act shall take effect at the first term, or sessions in each county, to be holden after the first day of January next, from and after which day so much of the act to which this is a supplement, as is hereby altered or supplied, be, and the same is hereby repealed: *Provided*, that the fifth-section of this act shall go into operation at the first drawing of jurors, after the last day of May next.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LXXVIII.

*An ACT for exploring, and making a Road from the point where the Coshecton and Great Bend Turnpike passes, through Moosic mountain, in a western direction to the west line of the state.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same*, That Henry Donnel, George Haines and John Foster be, and they hereby are appointed commissioners, to explore and mark out a road, from the point where the Coshecton and Great Bend turnpike road passes, through the Moosic mountain, to run in a western direction so as to pass through Wellesborough in Tioga county, from thence by the way of the Big Meadows so called, at the third fork of Pine creek, to Couders-port, in the county of Potter.

Commissioners to explore and mark out a road from Moosic mountain to Couders-port in Potter county.

**SECT. II.** *And be it further enacted by the authority aforesaid,* That Samuel Dale, John Boyd and Francis King be, and they Commissioners to explore and mark out a road, to run also in a western direction, from said Cou- ders-port to Smeths-port, in the county of M'Kean, and from thence to Warren, in the county of Warren, and from thence Couders- to the western line of the state, and to defray the ex- pence of exploring and marking out said road from the said point in Moosic mountain, to the western line of the state, a Sum appro- priated not exceeding two thousand dollars is hereby appropriated, to be paid by the treasurer out of any monies not appropriated, therefor.

**SECT. III.** *And be it further enacted by the authority aforesaid,* Commissioners to make report to the Governor to be laid before the legislature, &c. That when the said commissioners shall have completed the report to the Governor to be laid before the legislature, &c. duties by this act assigned them, they shall make report to the Governor, who shall lay the same before the succeeding legis- be laid before the legislature, &c. lature, and if the same shall be approved of, the road as there- in designated shall be opened throughout the whole distance, by persons to be appointed by the commissioners of the several counties through which the same may run, or if there should be no commissioners, then by persons to be appointed by the trustees of the respective counties, and the expence thereof to be defrayed from the monies which shall be raised from road and county taxes on unseated land, not otherwise appropriated

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LXXIX.

**AN ACT** authorizing the Court of Quarter Sessions of Butler County, to direct a review of that part of the State-road, leading from Blair's Gap, to the western boundary of the State, which lies between the twenty-fourth, and twenty-seventh mile trees.

**WHEREAS** it has been represented to the legislature that part of the state-road, lately laid out from Blair's Gap, to the western boundary line of the state, passes in part over a deep morass, and the same can be altered to great advantage, and made to pass over level and dry ground without any public disadvantage: Therefore,

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* Part of Blair's gap road to be and it is hereby enacted by the authority of the same, That the

reviewed by persons to be appointed by the court of quarter sessions of Butler county.

Whose report upon being approved and confirmed shall be filed in the office of the clerk of said court, and a duplicate thereof transmitted to the secretary of the commonwealth, &c.

court of quarter sessions of the county of Butler, be, and they are hereby authorized to appoint viewers to view that part of the state-road, lately laid out from Blair's Gap to the western boundary line of the state, beginning about thirty perches west of the twenty-fourth mile tree, and ending at the twenty-seventh mile tree; and if upon the report of the said viewers making any alteration in the route of the said road, the court should approve and confirm the same, a return of the lines of such alteration shall be filed in the office of the clerk of said court, and a duplicate thereof transmitted to the secretary of the commonwealth, and the said road so laid out, shall thereafter be part of the state-road aforesaid, and that part rendered unnecessary thereby, shall be vacated, and the expence of the viewers shall be paid by warrants drawn by the commissioners on the treasury of Butler county.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LXXX.

*An ACT to enable Henry Hawkins, guardian of Maria Bicker to sell certain real estate belonging to the said Maria.*

**W**HEREAS it hath been represented to the legislature, that Prudence Slater, deceased, devised to her children, Thomas, John, James, Ann, Elizabeth, Mary and Sibby, inter alia, two certain messuages and a lot of ground in the borough of Lancaster; that the aforesaid Elizabeth hath since died, leaving issue one daughter a minor, that the said property is unproductive and decaying for want of necessary repairs, and that it would be better for the said minor if the same were sold: Therefore,

The guardian of Maria Bicker authorized to sell and convey her interest in two messuages and a lot of ground in the borough of Lancaster.

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That Henry Hawkins, guardian of Maria Bicker, of the city of Philadelphia, is hereby authorized to sell and convey, for the best price that can be obtained, all the right, title, and interest of the said Maria Bicker to two certain messuages and lot of ground, situate in the borough of Lancaster, containing sixty-four feet four inches front on the east side of Prince-street, and extending two hun-*

dred and forty-five feet back, to an alley adjoining property late of Jacob Metor, deceased, and others, and make such deed or other conveyance as shall sufficiently secure to the purchaser or purchasers, all the right, title and interest of the said Maria Bicker to the aforesaid messuages and lot of ground, and place the proceeds in some productive fund, for the benefit of said Maria : *Provided*, The said Henry Hawkins before he proceeds to sell the said messuages and lot of ground, enter into recognizance in the orphans' court in the city of Philadelphia, for the faithful performance of the duties and powers hereby granted.

Said guardian first to enter into recognizance for faithfully performing the trust.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

CHAPTER LXXXI.

*An ACT to enable Samuel Jackson of Allegheny county, to sell and convey certain Land therein mentioned.*

**W**HEREAS it appears to the legislature that Samuel Jackson of the county of Allegheny, intermarried with a certain Susanna Reno, who during the intermarriage by reason of the father of the said Susanna dying intestate, became entitled to the seventh part of a certain tract of land in said county, situate, lying, and being in the township of St. Clair, containing three hundred acres more or less, that the said Susanna is since deceased, leaving issue one son now a minor, that all the other heirs have sold and conveyed their interest in the said tract of land to Pressly Nevill, and it is represented that the remaining undivided seventh part is unproductive, and it would be for the interest of the said minor that the same should be sold and vested in some productive fund : Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That Samuel Jackson, be, and he is hereby authorized to sell by public vendue to the best and highest bidder, after due notice, all the right, title and interest of, in, and to the seventh part of the said tract of land herein before described, which during the intermarriage of the said Samuel and Susanna his wife became vested in the said Susanna, after the death of her father, under the intestate laws of this commonwealth, and to make and execute a sufficient deed or deeds therefor to the purchaser or purchasers thereof, which deed or deeds shall fully and effectually*

Samuel Jackson authorized to sell and convey the interest of his minor son in a certain tract of land which he inherits from his mother.

Samuel Jackson to give bond that he will vest the proceeds of the sale in productive stock, &c.

For the use of the minor.

to all intents and purposes vest the same interest in the purchaser or purchasers thereof, as if the said deed had been duly executed and acknowledged by the said Samuel and Susanna in the life-time of the said Susanna: *Provided nevertheless*, That before the said Samuel Jackson shall proceed to sell the same he shall enter into and execute a sufficient bond with surety, to be approved by the orphans' court of Allegheny county, to the president of the said court, conditioned that he will well and truly vest the proceeds thereof in some productive stock or fund, and apply the interest thereof in such manner as is directed by law as to the said land, and that the principal sum after the expiration of any intermediate interest shall be and inure to the use of his minor son or his legal representatives.

SIMON SNYDER, *Speaker of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER LXXXII.

*An ACT imposing certain penalties upon persons defrauding incorporated Turnpike companies of their legal tolls, and also upon gate-keepers, for demanding or receiving in advance greater tolls than in proportion to the distance travelled.*

Penalty on gate keepers of turnpike roads receiving a greater advance toll than is authorized by law.

Appropriation of a recovered penalty.

Penalty on persons defrauding turnpike companies of their toll.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of June next, no gate keeper, or toll gatherer, of any incorporated turnpike company within this commonwealth, shall at any gate fixed or to be fixed on any such road, knowingly and wilfully take or receive from any person or persons passing through the same, a greater toll in advance than shall be in proportion to the distance such person or persons shall travel or pass on said road between such gate and the gate next thereto, under the penalty of ten dollars for every such offence, to be recovered to, and for the use of the party aggrieved, and if any person or persons shall defraud any such company by travelling or using such road for a greater distance than in proportion to the toll he, she or they shall have so paid at any such gate, such person or persons so offending, shall forfeit and pay for the use of the proper company for every such offence, the sum of ten dollars, to be recovered in

like manner as other penalties in the proper act of incorporation, upon due proof thereof are recoverable.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

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### CHAPTER LXXXIII.

*An ACT to enable Edward Tilghman, junior, in behalf of his wife Rebecca Tilghman, and the Guardians of Ann Waln, Rebecca Wharton and Susan Wharton, minors, to make partition of certain lands belonging to them and others, as tenants in common.*

WHEREAS by an Act of Assembly of this Commonwealth, passed on the twenty-first day of March, one thousand eight hundred and six, entitled, "An act to enable John Philip De Gruchy and John Boyd, guardians of Jane Humphrys a minor, to make partition on her behalf of lands belonging to her and others, as tenants in common," the said John Philip De Gruchy and John Boyd guardians duly appointed, of the said Jane Humphrys, were authorized to act for, and on her behalf, in making partition of certain lands situated in the county of Lycoming, and in one or more of the counties adjoining thereto, whereof Isaac Wharton, David Lewis, Jesse Waln, Robert Waln, William Waln and Alexander Fullerton, Thomas Fitzsimons, John Miller, junior, and Robert Bird, and the said John Humphrys, then stood seized as tenants in common: And whereas it is represented to the legislature, that before the proper deeds were prepared for the purpose of completing the said partition, Jesse Waln, one of the said tenants in common, departed this life intestate, leaving issue, Sarah, married to Thomas Bulkeley, Jesse Waln, Rebecca, married to Edward Tilghman junior, Ann Waln, Rebecca Wharton and Susan Wharton, daughters of Mary, the former wife of Moore Wharton, and daughter of the said Jesse Waln, deceased, which Mary Wharton died in the lifetime of her said father, and which Rebecca Tilghman, Ann Waln, Rebecca Wharton, and Susan Wharton are minors, under the age of twenty-one years; by reason whereof the intentions of the legislature in passing the said act are frustrated, and the said partition although it hath, since the death of the said Jesse Waln, been executed by those of the said tenants in common, who are of full age and by the guardians of the said Jane Humphrys remain incomplete.



Who are to  
act for said  
minors.

To make par-  
tition and to  
grant and re-  
ceive con-  
veyances.

The acts of  
the persons  
hereby ap-  
pointed to be  
binding on  
the minors.

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That Edward Tilghman, junior, the husband of the said Rebecca Tilghman, shall be, and hereby is authorized to act for and on her behalf, and the guardians who are or may be duly appointed by the orphans' court of the county of Philadelphia, for the said Ann Waln, Rebecca Wharton and Susan Wharton, shall be, and they are hereby authorized to act for and in their behalf, in making partition of the lands aforesaid, and in behalf of the said minors respectively, to make partition of the same with the other tenants in common above mentioned, and to receive releases and conveyances to the use of the said minors respectively in fee, of such parts and parcels of the said lands as may be allotted to them in severalty, and to execute to the other tenants in common, such releases or conveyances as may be necessary to confirm and perfect their titles to the parts or parcels which may be allotted to them respectively, in severalty and generally for, and in behalf of the said minors respectively, to make as full and complete partition of the said lands, as they or either of them could do if of full age; and the acts of the said Edward Tilghman, junior, in the premises, shall be as binding upon the said Rebecca Tilghman and her heirs, as if the same were done by her after attaining full age; and the acts of such guardians of the said Ann Waln, Rebecca Wharton and Susan Wharton, in the premises, shall be binding upon the said Ann Waln, Rebecca Wharton and Susan Wharton, as if the same were done after by the said Ann Waln, Rebecca Wharton and Susan Wharton, after they had respectively attained full age.*

**SIMON SNYDER,** *Speaker  
of the House of Representatives.*

**P. C. LANE,** *Speaker of the Senate.*

**APPROVED**—the fourth day of April, in the year one thousand eight hundred and seven.

**THOMAS M'KEAN.**

## CHAPTER LXXXIV.

*An ACT for the removal of the Powder Magazine from the city of Philadelphia.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That John Dunlap, Thomas Leiper, Mathew Shaw, Stephen Decatur, and John Singer or any three of them be, and they are*

Commission-  
ers appoint-

ed to sell and convey the powder magazine of Philadelphia and the lot on which the same is erected.

And with the proceeds of such sale to purchase ground, and to erect other magazines. Surplus how paid.

Compensation to commissioners. Commissioners may erect a magazine for traders, &c. And one or more magazines to store gun powder in large quantities. Keeper to remove the powder from the old to the new magazine.

hereby appointed on behalf of the Commonwealth, to make sale of the powder magazine and buildings belonging thereto, with the lot or square on which they are erected, and are hereby authorized to convey the same, reserving the use and possession thereof, until a magazine or magazines shall be erected, to which the powder may be removed, agreeably to the provisions hereinafter mentioned; and out of the money arising from said sale, or as much thereof as may be thought necessary, shall purchase one or more lots of ground, and cause to be erected thereon, two or more magazines and other necessary buildings for the deposit and safe-keeping of gun-powder, constructed in such manner as shall render them most secure against accidents by fire, and shall pay any money that may remain, into the State-treasury, first deducting a reasonable compensation for the attendance of the commissioners, and the said commissioners may, if they deem it necessary, erect a magazine to accommodate the traders of the city for the purpose of supplying the daily demands of customers, which shall not be less than one mile from Philadelphia, and shall not be of capacity to contain more than ten tons of powder, and shall erect one or more magazines to store or deposit powder in large quantities, which shall not be less than four miles from the city, reserving to the state the right at all times to deposit any powder belonging to the public therein.

SECT. II. *And be it further enacted by the authority aforesaid,* That as soon as the said magazine or magazines shall be completed, it shall be the duty of the superintendant or keeper of the magazine, to cause all the powder at that time deposited in the present magazine, to be removed therefrom at the expence of the owners of the powder, to the magazine or magazines hereby directed to be built, and all gun-powder thereafter manufactured in the county of Philadelphia, or imported or brought into the same, shall be deposited and kept in the said new magazine or magazines, under and subject to all the regulations and penalties now in force, with regard to the inspection and deposit of gun-powder in the present magazine.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of April, in the year one thousand eight hundred and seven.

THOMAS M. KEAN.

CHAPTER LXXXV.

*A further SUPPLEMENT to the Penal Laws of this state.*

## CHAPTER LXXXVI.

*An ACT for the relief of John Rybecker.*

**W**HEREAS it appears that John Rybecker was a soldier in the Pennsylvania line, in the late revolutionary war, and that while in the service of his country, he received very severe wounds, the effects of which prevent him from procuring that subsistence which it would otherwise be in his power to procure: Therefore,

*Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the proper officers of the land-office be, and they are hereby authorized and required to grant to John Rybecker a patent for a tract of donation land according to his rank aforesaid.*

John Ry-  
becker to re-  
ceive a grant  
of donation  
land.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

**APPROVED**—the fourth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

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 CHAPTER LXXXVII.

*An ACT to authorize the sale and conveyance of the real estate of Philip Nicklin, by his surviving partner and legal representatives.*

**W**HEREAS it hath been represented to the legislature by Robert E. Griffith, surviving partner of Philip Nicklin, deceased, Juliana Nicklin, widow and administratrix of the said Philip Nicklin, and natural guardian of his minor children, and Benjamin Chew, jun. administrator of the said Philip Nicklin, that the said Philip Nicklin and Robert E. Griffith were merchants and co-partners in the city of Philadelphia, under the firm of Nicklin and Griffith, that in the course of their commercial transactions they were induced to accept from several persons, conveyances of lands lying in various counties of Pennsylvania, in satisfaction of debts due to the company, that with a view to advantageous sales and reinvestment of the proceeds in their commercial capital, the said Nicklin and Griffith also purchased with their joint funds many other tracts of land; that the sudden death of the said Philip Nicklin has rendered it necessary to close the partnership business, and to apply the joint resources in payment of the joint engagements of the company; but as the said Philip Nicklin died intestate, leaving seven minor children, there is no authority in his surviv-

ing partner, nor in his legal representatives, to sell and convey for that purpose, either his separate estate, or his moiety of the joint estate in the lands purchased as above mentioned.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the said Robert E. Griffith, to make sale of and in due form of law, to grant, bargain, sell and convey as well for the said Philip Nicklin, as for himself, all and singular, the real estate and estates within this commonwealth, whereof he and the said Philip Nicklin in his life-time were seized or entitled unto in law or equity, as tenants in common or otherwise, under any patent, deed, contract, warrant, survey or location whatsoever, at such time and times, in such parts and parcels, for such estate and estates, upon such considerations, and to such person and persons as the said Robert E. Griffith shall deem fit and expedient: *Provided always nevertheless,* That every such sale shall be first approved by the administratrix and administrator of the said Philip Nicklin, for the time being, to be testified by his, her or their becoming parties to the instruments of sale or contract, and conveyance respectively.

The surviving partner of Philip Nicklin, deceased, empowered to sell and convey the joint estate of Nicklin and Griffith.

Provided that the same be first approved by the administrators of Philip Nicklin, deceased.

SECT. II. *And be it further enacted by the authority aforesaid,* That the proceeds of the sales by this act authorized to be made, shall be appropriated and applied by the said Robert E. Griffith, as occasion may require, for and towards payment of the joint debts and engagements of the said late partnership of Nicklin and Griffith, and that the moiety of the surplus thereof (if any) shall be accounted for and paid to the legal representatives of the said Philip Nicklin, to be by them divided, apportioned, and paid in the same manner as is provided by law for the division and apportionment of an intestate's real estate.

Proceeds of the sales, how applied.

SECT. III. *And be it further enacted by the authority aforesaid,* That it shall be lawful for the administratrix and administrator of the said Philip Nicklin, to make sale of, and in due form of law, to grant, bargain, sell and convey all and singular, the real estate and estates within this commonwealth, whereof the said Philip Nicklin died seized or entitled unto in law or equity, in his sole and separate right, under any patent, deed, contract, warrant, survey or location whatsoever, at such time and times, in such parts and parcels, for such estate and estates, upon such considerations, and to such person and persons as the said administratrix and administrator shall deem fit and expedient, and the proceeds of the said last mentioned sales shall be appropriated and applied by them for and towards the payment of the debts and engagements of the said Philip Nicklin, as well in his separate capacity as in his partnership concern, and the surplus thereof shall be divided and apportioned in the same manner as

Administrators of Philip Nicklin, deceased, empowered to sell and convey his separate estate.

How the proceeds of such sale shall be applied.

Surviving partner and the administrators to give security for the faithful discharge of their respective trusts.

is provided by law for the divisions and apportionment of an intestate's estate: *Provided*, That before a deed shall be executed for any of the real estate aforesaid, in pursuance of this act, the said surviving partner in case the sale be made by him, and the said administratrix and administrator, in case the sale be made by them, shall give bond to the orphans' court of Philadelphia county, with surety to be approved of by that court, for the due performance of their respective duties herein.

SECT. IV. *And be it further enacted by the authority aforesaid*, That nothing in this act contained shall be construed to authorize the sale of any land to which this commonwealth has a claim, by reason of its lien on the estate of John Nicholson, deceased.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

#### CHAPTER LXXXVIII.

*An ACT to annul the marriage of James Isaac Thomas Marshall, and Martha Marshall.*

WHEREAS by the petition of Martha Marshall, late Martha Miles, and by official documents it is shewn to the legislature that James Isaac Thomas Marshall, and the said Martha Marshall, were lawfully joined in marriage, on the fifteenth day of May, *anno Domini* one thousand eight hundred and four, that the said James Isaac Thomas Marshall was on the third day of November, one thousand eight hundred and six, convicted in the Mayor's court of the city of Philadelphia, of forging a bank note of the Trenton banking company, for which crime he was sentenced to an imprisonment at hard labour for the term of two years in the gaol of Philadelphia county, where he now remains: And whereas it appears proper for the legislature to grant the said Martha a divorce, inasmuch as the existing laws do not warrant the interposition of a court of justice in this behalf: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same*, That the marriage contract entered into by the said James Isaac Thomas Marshall, otherwise called Kensett and Martha his wife, late Martha Miles, be, and the same is hereby annulled and made void, and the parties respectively set free and discharged from the marriage contract, and from all duties and obligations arising therefrom as fully, effectually and absolutely as if they had nev-

The marriage contract of Jas. I. T. Marshall and Martha his wife annulled.

er been joined in marriage: but nothing herein contained shall be construed to affect or render illegitimate any child or children born of the body of the said Martha during her coverture.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

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CHAPTER LXXXIX.

*An ACT to confirm to George Bilger a Title to a certain Lot of Land in the county of Montgomery.*

**W**HEREAS it has been represented to the legislature, that a certain Michael Spiegle of the township of Springfield in the county of Philadelphia, by his last will and testament did devise unto Mary Spiegle his wife, and Philip Dresher, and to their heirs and assigns, a lot of sixteen acres and fifty-six perches of land, and that the said Mary Spiegle afterwards intermarried with John Kenner, to whom the said Philip Dresher conveyed all his right, title and interest in the said property, that the said Mary died intestate, leaving no children or known kindred; that the said John Kenner, supposing himself to be the heir at law to the land devised to his wife by her former husband, did, on the thirty-first of March, anno Domini one thousand seven hundred and ninety-five, convey the said sixteen acres and fifty six perches of land to Nicholas Kline, who, some time after the purchase of the said land, became uneasy about the validity of his title, and procured from the said John Kenner a bond of fifteen hundred pounds, conditioned to indemnify him for any deficiency in the title to the said property; that the said John Kenner has since deceased, and by his last will and testament did bequeath a portion of his estate to persons who have become lunatic, who are now in the hospital, and a part also of his estate to charitable and religious purposes; that his executors have finally settled their accounts, and paid all the legacies and bequests, agreeably to the direction of the testator. It is further represented that Nicholas Kline aforesaid, conveyed the said land and premises to George Bilger, who, afterwards being informed of the situation of the title to the estate, gave information to the Governor, whereupon an inquisition was had at Norristown, Montgomery county, the twelfth of February, one thousand eight hundred and six, by which inquisition it was determined, that one moiety of the said sixteen acres and fifty-six perches was escheated to the Commonwealth;

whereby the said bond of indemnification became forfeited to the said George Bilger as the assignee of Nicholas Kline: *And whereas*, it has been further represented to the legislature, that the said George Bilger is willing to relinquish all his interest in the said bond, and also his one-fifth of the escheated estate, to which he is by law entitled, provided his title to the aforesaid land and premises be confirmed: *And whereas*, it appears to the legislature, that it would be oppressive to the heirs of the said John Kenner, to be compelled to indemnify the said George Bilger, for the amount of the property escheated to the Commonwealth: Therefore,

Certain escheated property of Philip Drescher deceased vested in George Bilger.

Proviso.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That all and every the right, title, interest, claim and demand, which this Commonwealth has acquired by reason of an escheat for want of lawful heirs, or known kindred of Mary Kenner, formerly Mary Spiegle, to one moiety of a certain lot of land, situate in Springfield township, Montgomery county, whereof the said Mary died seized, shall be, and the same is hereby vested in George Bilger of the township aforesaid: *Provided*, That nothing in this act contained shall be construed to bar or defeat, any person or persons, bodies politic or corporate, of any right, title, claim or demand, which they may have in or to the said lot of land, or any part or parcel thereof.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XC.

*An ACT to authorize the Governor to incorporate a company for making an artificial road from the Philadelphia and Lancaster turnpike road in Lancaster county, at or near the Gap tavern, to the line of the state of Delaware.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That James Boyd, Ellis Pusey, William West, Robert Cochran and Joseph Johnson of Chester county, and Henry Slaymaker, Michael Gundacker, Francis Bailey and James Moore jun. of Lan-

Commission-  
--- to open  
and

caster county, be, and they hereby are appointed commissioners to do and perform the several things hereinafter mentioned, that is to say, they shall on or before the first Monday in June next, procure two books, and in each of them enter as follows; " We whose names are hereunto subscribed do promise to pay to the president, managers, and company of the Gap and Newport turnpike-road, the sum of fifty dollars for every share of stock in the said company set opposite to our respective names, in such manner and proportions and at such times as shall be determined by the president and managers of the said company, in pursuance of an act of the general assembly of this commonwealth, entitled " An act to enable the Governor to incorporate a company for making an artificial road, from the Philadelphia and Lancaster turnpike-road in Lancaster county, at or near the Gap tavern, to the line of the state of Delaware," witness our hands, the       day of       in the year of our Lord, one thousand eight hundred and       " and shall thereupon give notice in two of the public papers printed in the borough of Lancaster, one of which to be in the German language, and in one or more of the public papers printed at Philadelphia, and one or more of the public papers printed at Wilmington, in the state of Delaware, for one calendar month at least, of the times and places when and where the said books shall be opened to receive subscriptions for the stock of the said company, at which respective times and places some two of the said commissioners shall attend, and shall permit and suffer all persons of lawful age who shall offer to subscribe in the said books, in their own name, or names of any other persons who shall duly authorize the same for any number of shares in the said stock, and the said books shall be kept open respectively for the purpose aforesaid, at least six hours in every juridical day, for the space of six days, or until the said book opened at Lancaster shall have three hundred shares therein subscribed, and the said book opened at Chatham three hundred shares therein subscribed; and if at the expiration of the said six days, the books aforesaid or any of them, shall not have the respective number of shares as aforesaid, therein subscribed, the said commissioners respectively may adjourn from time to time, and transfer the said books from place to place aforesaid, until the whole number of shares shall be subscribed, of which adjournments and transfer the commissioners aforesaid shall give such public notice as the occasion may require, and when the whole number of shares subscribed in all the said books shall amount to six hundred, the same shall be closed: *Provided always*, That every person offering to subscribe in the said books, in his own name or any other name, shall previously pay to the attending commissioners the sum of ten dollars for every share to be sub-

receive sub-  
 scriptions to  
 the Gap and  
 Newport  
 turnpike  
 road.

Form of sub-  
 scription.

Notice of  
 the times and  
 places of sub-  
 scription to  
 be publish-  
 ed.

For what  
 time the  
 books are to  
 be kept open.

Of the ad-  
 journment  
 of the com-  
 missioners  
 and notice  
 thereof.

Subscribers  
 to pay ten  
 dollars for  
 every share  
 subscribed.



scribed, out of which shall be defrayed the expences attending the taking such subscriptions and other incidental charges, and the remainder shall be paid over to the treasurer of the corporation as soon as the same shall be organized and the officers chosen as hereinafter mentioned.

When a certain number of shares are subscribed, commissioners to certify, &c. to the Governor. Who may thereupon incorporate the subscribers.

SECT. II. *And be it further enacted by the authority aforesaid,* That when fifty persons or more shall have subscribed four hundred shares of the said stock, the said commissioners shall certify under their hands and seals, the names of the subscribers and the number of shares subscribed by each, to the Governor of this Commonwealth, and thereupon it shall and may be lawful for the Governor, by letters patent under his hand and the seal of the state, to create and erect the subscribers; and if the said subscriptions be not full at the time, then, also those who shall afterwards subscribe to the number aforesaid, into one body politic and corporate in deed and by law, by the name, style and title of "The President, Managers and Company, of the Gap and Newport Turnpike Company." And by the said name, the said subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding their said capital stock, and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing, taking and holding to them and their successors and assigns, and of selling, transferring and conveying in fee simple, or for any lesser estate all such lands, tenements, hereditaments and estate, real and personal, as shall be necessary to them in the prosecution of their works, and of suing and being sued, and of doing all and every other matter and thing, which a corporation or body politic may lawfully do.

Style of the corporation.

Its privileges and powers.

Commissioners to notify the subscribers to meet for the purpose of organizing the corporation.

Officers to be chosen.

SECT. III. *And be it further enacted by the authority aforesaid,* That the commissioners aforesaid, as soon as conveniently may be, after the said letters patent shall be sealed and obtained, shall give notice in two of the public papers in Lancaster, (one of which shall be in the German language) and also in the Philadelphia and Wilmington papers, of a time and place by them to be appointed, not less than twenty days from the publication of the first notice, at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes of the said subscribers, by ballot to be delivered in person or by proxy duly authorized, one president and twelve managers, one treasurer, and such other officers as they shall think necessary to conduct the business of the said company for one year, and until other such officers shall be chosen; and shall and may make such bye-laws, rules, orders and regulations, not in-

consistent with the constitution and laws of this Commonwealth, as shall be necessary for the well-ordering the affairs of the said company: *Provided always*, That no person shall have more than five votes at any election, or in determining any question arising at such meeting, whatever number of shares he may be entitled to, and that each person shall be entitled to one vote for every share by him held under the said number: *Provided nevertheless*, That all future annual elections of the said corporation, shall be held with such notice and in manner and form aforesaid, at such places as the managers aforesaid shall direct and appoint.

Number of  
votes limit-  
ed.

SECT. IV. *And be it further enacted by the authority aforesaid*, That the said company shall meet on the first Monday of January in every year, at such place as shall be fixed by their bye-laws, for the purpose of choosing officers as aforesaid, for the ensuing year in manner aforesaid, and at such other times as they shall be summoned by the managers, in such manner and form as shall be prescribed by their bye-laws, at which annual or special meetings, they shall have full power and authority to make, alter or repeal, by a majority of votes in manner aforesaid, all such bye-laws, rules, orders and regulations as aforesaid, and to do and perform any other corporate act.

Times of  
annual and  
special  
meetings of  
the compa-  
ny.

Their pow-  
ers at such  
meetings.

SECT. V. *And be it further enacted by the authority aforesaid*, That the president and managers first to be chosen as aforesaid, shall procure certificates to be written or printed, for all the shares of the stock of the said company, and shall deliver one such certificate, signed by the president and countersigned by the treasurer, and sealed with the common seal of the said corporation, to each person for every share by him subscribed and held, he paying to the treasurer in part of the sum due thereupon, the sum of ten dollars for each share, which certificate shall be transferable at his pleasure, in person or by attorney, in the presence of the president or treasurer, subject however to all payments due and to grow due thereon, and the assignee holding any certificate, having first caused the assignment to be entered in a book of the company to be kept for the purpose, shall be a member of said corporation, and for every certificate by him held shall be entitled to one share of the capital stock, and of all the estates and emoluments of the company, and to vote as aforesaid at the meetings thereof.

Certificates  
of shares to  
be issued on  
part pay-  
ment.

Certificates  
made trans-  
ferable, &c.

SECT. VI. *And be it further enacted by the authority aforesaid*, That the said president and managers shall meet at such times and places, and be convened in such manner as shall be agreed on for transacting their business, at which meetings seven members shall form a quorum, who in the absence of the president may choose a chairman, and shall keep minutes of all their transactions, fairly entered in a book; and a quorum being

Meetings of  
the Presi-  
dent and  
managers;  
and proceed-  
ings at such  
meetings,  
&c.

met they shall have full power and authority to agree with and appoint all such surveyors, superintendants, artists and officers, as they shall judge necessary to carry on the intended works, and to fix their salaries or wages, to ascertain the times, manner and proportions when and in which the stockholders shall pay the money due on their respective shares, in order to carry on the work, to draw orders on the treasurer for all monies necessary to pay the salaries or wages of persons by them employed, and for the labour done and materials provided in the prosecution of the work, which orders shall be entered or registered in their book of minutes, and shall be signed by the president or in his absence by a majority of a quorum, and countersigned by their secretary, and generally to do all such other acts, matters and things as by the bye-laws, rules, orders and regulations of the company shall be committed to them.

Regulations  
in case of  
neglect to  
pay the sub-  
scription  
money.

SECT. VII. *And be it further enacted by the authority aforesaid,* That if any stockholder whether original subscriber or assignee, after thirty days notice in two of the public papers in Lancaster, one of which shall be in the German language, and also in the Philadelphia and Wilmington papers, of the time and place appointed for the payment of any proportion or instalment of the said capital stock, in order to carry on the work, shall neglect to pay such proportion at the place appointed for the space of sixty days after the time appointed for the payment thereof, every such stockholder shall, in addition to the instalment so called for, pay at the rate of five per centum per month, for every delay of such payment; and if the same and the said additional penalty shall remain unpaid, for such space of time as that the accumulated penalty shall become equal to the sums before paid, in part and on account of such share, the same may be forfeited by and to the said company, and may be sold by them to any other person or persons willing to purchase, for such price as can be obtained therefor; or in default of payment by any stockholder of any such instalment as aforesaid, the said president and managers may, at their election, cause suit to be brought in any court having competent jurisdiction, for the recovery of the same, together with the penalty aforesaid: *Provided always,* That the recovery in any suit shall in no case exceed the amount of such instalment or instalments, as may be due on such share, together with such accumulated penalty at the rate aforesaid, as shall equal the sums before paid on the same share: *And provided also* That no stockholder whether original subscriber or assignee, shall be entitled to vote at any election, or at any general or special meeting of the said company, unless the whole sum due and payable as aforesaid, on the share or shares by him held at the time of such election or general or special meetings of the said company shall have been fully paid and discharged as aforesaid

**SECT. VIII.** *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for the said president and managers, their superintendants, surveyors, engineers, artists and chain-bearers, to enter into and upon all and every the lands, tenements and inclosures, in, through and over which the said intended turnpike road may be thought proper to pass, and to examine the ground most proper for the purpose, and the quarries and beds of stone and gravel, and other materials in the vicinity, that will be necessary in making and constructing the said road; and to survey, lay down, ascertain, mark and fix, such route or track for the same road, as in the best of their judgment and skill, will combine shortness of distance with the most practicable ground, from the Philadelphia and Lancaster turnpike road in Lancaster county, at or near the Gap tavern, and to extend thence the nearest and best practicable course by Cochran's, Chatham and Chandler's taverns to the line of the state of Delaware, so as to communicate with a contemplated artificial road, to extend thence the nearest and best practicable course to Newport on Christianna-creek, in the state of Delaware, to be authorized by a law of that state.

The president and managers, &c. may enter lands, &c. through which the road may pass to examine the ground, &c. And survey and fix the route or track of said road, &c.

**SECT. IX.** *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for the said president and managers, by and with their superintendants, engineers, artists, workmen and labourers, with their tools and instruments, carts, waggons, wains, and other carriages, and beasts of draught or burthen, to enter upon the lands in, over, contiguous to and near, to which the route and track of the said intended road shall pass, first giving notice of their intention to the owners or occupiers thereof, and doing as little damage thereto as possible, and repairing any breaches they may make in the inclosures thereof, and making amends for any damages that may be done to any improvements thereon, upon a reasonable agreement, if they can agree, or if they cannot agree, then upon an appraisement to be made upon oath or affirmation by three disinterested freeholders, any two of them agreeing mutually to be chosen, or if the owners upon due notice shall neglect or refuse to join in the appraisement, then to be appointed by any justice of the peace of either of the counties of Lancaster or Chester, not interested therein; and to tender of the appraised value, to cut down, dig, take and carry away, any timber, stone, gravel, sand, earth or other materials, there being most conveniently situated for making or repairing the said road.

The president managers, &c. may enter lands, &c. to take materials.

To make amends for any damage done thereby, and modes of ascertaining the damage.

**SECT. X.** *And be it further enacted by the authority aforesaid,* That the said president, managers and company, shall have power to erect permanent bridges over Octoraro creek, as well as all the waters crossed by the said route or track, whereon they shall be found necessary; and shall cause a road to be

The president and managers to erect permanent bridges, and cause a

from the beginning to the end thereof, or such part thereof as shall from time to time be completed as aforesaid, and after the said road shall be completed or so much thereof as it may from time to time be deemed expedient to make and finish, shall make and declare a dividend of the clear profits and income thereof, all contingent costs and charges and a reasonable fund for repairs and for the progressive improvement and accomplishment of the said work, being first deducted and reserved, among all the subscribers to the stock of the said company, and shall on the first Monday in February and August in every year publish the half-yearly dividend, to be made of the clear profits among the stockholders, and of the time and place when and where the same will be paid, and shall cause the same to be paid accordingly.

To make and declare a dividend of the clear profits and income :

And to publish the same half yearly.

Accounts to be laid before the Legislature in order to ascertain the clear yearly income

And if the profits do not amount to six per cent. the tolls may be increased ;

But never to exceed nine per cent.

Posts of direction to be erected,

SECT. XVII *And be it further enacted by the authority aforesaid,* That the said president and managers shall at the end of every third year from the date of the incorporation, until two years next after the whole road shall be completed, lay before the General Assembly of this commonwealth, an abstract of their accounts, shewing the whole amount of their capital expended in prosecution of the said work, and of the income and profits arising from the said toll, for and during the said respective periods, together with an abstract account of the costs and charges of keeping the said road in repair, and all other contingent costs and charges, to the end that the clear annual income and profits thereof may be ascertained and known ; and if at the end of two years after the said road shall be completed from the beginning to the end thereof, it shall appear from the average profits thereof for the said two years, that the said clear income and profits thereof will not bear a dividend of six per centum per annum on the whole capital stock of the said company so expended, then it shall be lawful to and for the said president, managers and company to increase the tolls herein-above allowed, in equal proportions upon each and every allowance thereof, so as to raise the dividends up to six per centum per annum, and at the end of every ten years after the said road shall be completed they shall render to the General Assembly a like abstract of their accounts for three preceding years ; and if at the end of any such decennial period it shall appear from such abstract that the clear profits and income of the said company will bear a dividend of more than nine per centum per annum, then the said toll shall be so reduced as to reduce the said dividend down to nine per centum per annum.

SECT. XVIII. *And be it further enacted by the authority aforesaid,* That the said company shall cause posts to be erected at the intersection of every road falling into and leading out of the said turnpike road, with boards and index-hand pointing to the

direction of such road, on both sides whereof shall be inscribed in legible characters, the name of the town or place to which such road leads, and the distance thereof in measured or computed miles, and shall also cause mile-stones to be placed on the side of the said road, to designate the distances to and from the principal places thereon, and also shall cause to be affixed on the gates to be erected for the information of travellers and others using the said road, a printed list of the rates of toll which from time to time may be lawfully demanded.

And mile stones to be placed on the side of the road. Printed rates of tolls to be affixed on the gates.

SECT. XIX. *And be it further enacted by the authority aforesaid,* That if any person or persons shall wilfully break, deface, pull up or prostrate any mile-stone which shall be placed in pursuance of this act on the side of the said road, or shall obliterate the letters or figures inscribed thereon, or shall wilfully break, pull down, deface, destroy or injure, any direction-post which shall be erected in pursuance of this act at the intersection of any road as aforesaid, or the board or index-hand affixed thereto in conformity with the directions of this act, or shall obliterate the letters or figures inscribed or marked thereon, or destroy, deface, or obliterate the letters, figures, or other characters, marked at any turnpike or gate which shall be erected in pursuance of this act, for all or any of the purposes therein mentioned, or the whole or any part of any printed list of the rates of tolls, which shall be affixed in pursuance of the directions of this act at any such gate or turnpike, he or they so offending in the premises, shall, and each of them shall for every such offence, severally and respectively, forfeit and pay to the said president, managers and company, the sum of twenty dollars, to be sued for and recovered with costs of suit, before any justice of the peace, in manner aforesaid.

Penalty for defacing index posts, mile stones, &c.

SECT. XX. *And be it further enacted by the authority aforesaid,* That all waggoners, carters, and drivers of carriages of all kinds, whether of burthen or pleasure, using the said road, shall, except when overtaking and passing by a carriage of slower draught, keep their horses and carriages on the right-hand side of the said road in the passing direction, leaving the other side of the said road free and clear for other carriages to pass and repass; and if any waggoner, carter or driver shall offend against this provision, he shall forfeit and pay any sum not exceeding two dollars, to any person who shall by reason thereof be obstructed in his passage, and will sue for the same before any justice of the peace, to be recovered with costs in like manner aforesaid.

Drivers to keep the right hand side in the passing direction.

Penalty for non compliance.

SECT. XXI. *And be it further enacted by the authority aforesaid,* That if any toll-gatherer on the said road, shall demand from any person or persons using the said road, any greater rate of toll than by this act is authorized and allowed, such toll-gatherer shall forfeit and pay the sum of twenty dollars for every

Penalty on toll-gatherers for receiving more than legal toll.

such offence, one half to the use of the supervisors of the roads or highways of the township in which the forfeiture shall be incurred, and the other half to the use of the person suing for the same, to be recovered before any justice of the peace of the county where such offence shall have been committed.

In case any suit is not sustained by the plaintiff or prosecutor, the person prosecuted shall recover by the judgment of the justice, &c.

SECT. XXII. *And be it further enacted by the authority aforesaid* That if in the case of any suit or prosecution which shall be commenced under the directions of this act, for any penalty incurred under the same, whether by or against the said company, their servants or assignees, the said suit or prosecution shall not be sustained by the plaintiff or prosecutor, then, and in such case the person or persons prosecuted as aforesaid, shall recover by the judgment of the justice before whom such suit or prosecution shall be depending, or by action before the court of the common pleas of the proper county (if such prosecution had been instituted before the court of general quarter sessions of the peace), such sum, not exceeding the amount of the penalty for which the suit or prosecution shall be commenced, as shall be deemed a reasonable retribution for the vexation of such suit or prosecution.

Limitation of time within which actions under this act are to be commenced.

SECT. XXIII. *And be it further enacted by the authority aforesaid,* That no suit or action shall be brought or prosecuted, by any person or persons for any penalties incurred under this act, unless such suit or action shall be commenced within three months next after the fact committed, and the defendant or defendants in such suit or action, may plead the general issue, and give this act and the special matter in evidence, and that the same was done in pursuance and by the authority of this act.

Limitation of time for commencing and finishing the road.

SECT. XXIV. *And be it further enacted by the authority aforesaid,* That if the said company shall not proceed to carry on the said work within three years after this act comes into operation, or shall not within ten years thereafter complete the said road, according to the true intent and meaning of this act, then in either of those cases it shall and may be lawful for the legislature of the commonwealth to resume all and singular the rights, liberties, privileges and franchises by this act granted to the said company.

Proceedings if the legislature should think proper to purchase the road.

SECT. XXV. *And be it further enacted by the authority aforesaid,* That if the legislature should at any time after the year one thousand eight hundred and thirty, think proper to take possession of the said road, three persons shall be appointed by the Governor, and three by the president and managers of the said company, and three by the judges of the supreme court, who are hereby required to appoint the same, who, or any six or more of them not having any interest in the said road, shall proceed to examine and estimate the value of the property which the said company have therein, and certify the amount thereof

to the Governor of this commonwealth, who shall cause the same to be laid before the legislature at their next session, and whenever the amount so certified shall be paid by the state to the said company, their right to take toll on the said road together with all their right, title, claim and interest therein, shall cease and determine.

SECT. XXVI. *And be it further enacted by the authority aforesaid,* That this act shall commence and take effect, from, and immediately after the legislature of the state of Delaware shall authorize and empower the making of a like artificial road by the same company, from where the road herein authorized strikes the line of that state, by the nearest and best practicable route to Newport, on Christiana Creek in said state.

When this act shall commence and take effect.

SECT. XXVII. *And be it further enacted by the authority aforesaid,* That if the said road shall be laid out and founded over and upon any land, whereby the owner thereof shall suffer damage, the person or persons sustaining such damage, may make application to the court of the county in which such damage shall have been done, and thereupon the court shall appoint six fit and disinterested persons, to view and adjudge the amount of the damages so done, which if approved of by the court shall be paid by the company: *Provided always,* That it shall be the duty of the viewers in assessing damages, to take into consideration the advantages derived from said road passing through the land of the complainant, and that when the said road shall happen to be laid out and founded on any former laid out and confirmed road, the owner or owners of such lands shall not be entitled to receive compensation from the company for any damages sustained thereby.

How persons sustaining damage shall be compensated.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

CHAPTER XCL

*An ACT granting Jacob Bottimore a Tract of Donation Land.*

WHEREAS it has been represented to the legislature, That Jacob Bottimore served as a soldier in the second regiment of Pennsylvania, for upwards of four years; that on the second of January one thousand seven hundred and seventy-seven, in a skirmish which ensued after the battle of Trenton, he was wounded by a musket ball which passed through his body and



broke two of his ribs; that he was honourably discharged from the service, and is now become old and infirm, and by reason of said wound is unable to procure a livelihood by manual labour: Therefore,

A grant of  
donation  
land to Jacob  
Bottimore.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* the land officers of this Commonwealth, be, and they are hereby authorized and directed to issue a patent for two hundred acres of donation land to the said Jacob Bottimore, his heirs and assigns, in the usual manner.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XCII.

*An ACT for the relief of Edward Chisselden.*

**W**HEREAS it appears that Edward Chisselden was a soldier in the eight Pennsylvania regiment, and served during the revolutionary war; that as such he received a tract of donation land, and that a certificate for the depreciation of his pay, issued in his name, for the sum of seventy-five pound one shilling; that the said certificate was redeemed through the land-office, having been presented by a certain Peter Benson; that on the eighth day of June, one thousand seven hundred and eighty-five, letters of administration were fraudulently obtained by a certain John Malone; that a suit was instituted in the court of common pleas of the county of Philadelphia, by said Chisselden, against John Malone, at December term, one thousand seven hundred and eighty-nine, but the said John Malone could not be found or arrested by virtue of the process in the said suit and as the delivery of the said certificate to such supposed administrator was illegal, and cannot in law or equity discharge the Commonwealth, from making good the same: And whereas the said Edward Chisselden, is now old and deprived of sight, and without relations, and much in need of public assistance: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* the Governor, be, and he is hereby authorized to draw

his warrant on the state treasury in favour of James Kerr, for the sum of five hundred and twelve dollars, which shall be paid out of any unappropriated money in the treasury, and shall be disposed of for the benefit and maintenance of Edward Chisselden, in such manner as shall be thought most beneficial by the said James Kerr, his executor or executors, administrator or administrators; and it shall be his duty to make an annual return to the orphans' court of Washington county, on oath or affirmation, how and in what manner he or they have executed the trust in him or them confided by this act.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

### CHAPTER XCIII.

An ACT supplementary to the several acts of this commonwealth concerning partitions, and for other purposes therein mentioned.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

That the courts of common pleas of the different counties in this commonwealth be, and they are hereby authorized to issue writs of partition in all cases in which partition is demanded, of lands, tenements or hereditaments in this commonwealth, owned and held in jointenancy, coparcenary or in common, and whether the demandant or defendants be minors or of full age; and where a minor or minors is or are the defendant or defendants in any action of partition, the writ shall be served upon his, her or their guardian or guardians, or if he or she have no guardian, then upon a guardian to be appointed for this purpose by the court, or notice thereof given in the manner hereinafter directed, and upon appearance of the parties, or on default being made, the court shall proceed to examine the plaintiff's title and quantity of his part or purpart, and accordingly as they shall find his right or purpart to be, they shall give judgment, and award a writ to make partition whereby such proportion or purpart shall be set out in severalty, which writ being executed after ten days public notice, and the inquest of partition being returned and final judgment thereupon entered, the same shall be good and shall conclude all persons whomsoever, in the same manner as though the parties were under no disability of age or otherwise,

Grant of 512 dollars to James Kerr for the maintenance of Edward Chisselden.

Annual return to be made on oath or affirmation of the execution of the trust.

Courts of common pleas authorized to issue writs of partition:

Whether the parties be minors or not.

In case the defendants be minors the writs to be served on the guardians.

If there be no guardian one to be appointed.

The court to examine title and quantity of plaintiff's part, &c. and award a writ to make partition.

Of the notice to be given previous to the execution of the writ.

Return of inquest and judgment entered to conclude all

persons  
whomso-  
ever, &c.

How and in  
what time  
judgment by  
default may  
be set aside  
and a new  
partition  
awarded.

and notwithstanding all persons concerned are not named in the proceedings, nor the title of the defendants truly set forth.

SECT. II. *And be it further enacted by the authority aforesaid,* That if any defendant or other person against whom or against whose right or title, judgment by default be given, shall within the space of one year after the final judgment entered, apply to the court by motion where such judgment is entered, and shew a good and probable matter in bar of such partition, or that the plaintiff hath not title to so much as he hath recovered, then in such case the court may suspend or set aside such judgment and admit the party to appear and plead, and the cause shall proceed according to the due course of law; and if the court upon hearing thereof, shall adjudge for the plaintiff, then the said first judgment shall stand confirmed, or in case such defendant or other person shall within the time aforesaid appear and admit the plaintiff's title, part or purpart, and shew to the court any inequality in the partition, the court may award a new partition to be made in presence of all parties concerned, if they will appear, notwithstanding the return and filing upon record of the former, which said second partition returned and filed, shall be good and firm against all persons whomsoever.

Of the ser-  
vice of writs  
of partition  
on defend-  
ants residing  
in the county  
where the  
lands lie.  
In case they  
reside out of  
the county.  
In case they  
reside out of  
the common-  
wealth,  
or beyond  
seas.  
In case the  
lands lie in  
more than  
one county.

SECT. III. *And be it further enacted by the authority aforesaid,* That where any of the defendants in any action of partition reside in the county where the lands lie, service of the said writ shall be made upon them by the sheriff of the county or his deputy, by leaving a copy of the writ at his, her or their usual place of abode, at least fifteen days before the return-day thereof; and when any of the said defendants reside out of the county where the lands lie, but within this commonwealth, service of the said writ shall be made upon them in like manner by the sheriff of the county where the lands lie, or his deputy; and where any of the said defendants reside out of this commonwealth, or beyond seas, a copy of the said writ shall be published in one public newspaper printed within or nearest to the said county, and in one daily newspaper of the city of Philadelphia, for the space of two months prior to the said return-day, which said publication shall be deemed and taken by the court, and it is hereby declared to be a good and effectual service of the said writ upon the defendant or defendants so residing out of this commonwealth: *Provided always,* That where the lands lie in more than one county, the service aforesaid shall be made by the sheriff of the county where the action is brought.

Pleas in a-  
batement  
not to be ad-  
mitted in  
suits for par-  
tition.

SECT. IV. *And be it further enacted by the authority aforesaid,* That no plea in abatement shall be admitted or received in any suit for partition, nor shall the same be abated by reason of the death of any defendant.

SECT. V. *And be it further enacted by the authority aforesaid,*

That where equal partition in value cannot be made of any share or purpart, the sheriff and inquest shall have power to equalize such partitions or purparts, by valuing the purparts respectively, and to award that any one or more shares or purparts shall be subject to the payment of such sum of money, as shall be equal to the difference in value of any other share or shares, purpart or purparts, and shall return the same with their inquest, which sum or sums of money when final judgment shall be rendered on such writ of partition, shall be a lien on the lands or tenements which the inquest aforesaid shall have determined to be liable to pay the same.

Proceedings where equal partition cannot be made.

•SECT. VI. *And be it further enacted by the authority aforesaid,* That when partition is made of an intestate's real estate and a part is allotted to each of his children or representatives, in case there be a widow of the intestate living and entitled to a part of the said real estate during her life, it shall be the duty of the inquest or referees making partition to estimate the value of the said part, and to apportion the same among the respective shares of the children or representatives; and upon confirmation thereof by the orphans' court, the same shall remain as a charge upon the said shares, and the interest thereof shall be annually and regularly paid to such widow, and may be recovered by action of debt or by distress as rents are usually recovered in this commonwealth; and where the estate of the intestate is divided into fewer parts than there are children or representatives, the same proceedings shall be had to estimate and apportion the value of the widow's purpart among the said parts, which shall remain a charge thereon, and the interest thereof shall be paid and may be recovered as aforesaid; and upon the decease of any such widow, the whole value of the said purpart shall be distributed among all the said children or representatives in proportion to their respective shares, according to law.

In case the widow of an intestate be living and entitled to part of the real estate during her life, her part to be valued and apportioned among the children, &c. and the interest thereof to be annually paid her; and in case there be fewer parts than children, &c.

How the widow's share shall be distributed on her death.

SECT. VII. *And be it further enacted by the authority aforesaid.* That where the estate of an intestate is divided into a fewer number of parts than there are children or representatives, and any one or all of the said parts is or are refused to be taken by the children or representatives, the like proceedings shall be had to sell the parts so refused, as is directed in case of an appraisement of the whole, in and by an act passed the second day of April, one thousand eight hundred and four, entitled "A further Supplement to the act entitled "An act directing the descent of intestates' real estates and distribution of their personal estates, and for other purposes therein mentioned"; and any such sale or sales heretofore made by the decree of any orphans' court, is, and are hereby ratified and confirmed.

Proceedings where the estate of an intestate is divided into fewer parts than there are representatives, and any one or all of the said parts is or are refused.

SECT. VIII. *And be it further enacted by the authority aforesaid,*

In case of an appraisal or partition of an estate into fewer parts than there are children, the orphans' court authorized to offer the same to any of the children, &c.

That in order to give the younger children, or representatives of an intestate, an opportunity of accepting or refusing the estate of the intestate, in case of an appraisal or partition into fewer parts than there are children or representatives, the orphans' courts\* of the different counties of this Commonwealth are hereby authorized, upon application, to grant a rule upon any of the children or representatives, to come into court within a certain time, and to accept or refuse the same; a copy whereof shall be served upon the party personally, ten days before the return thereof in case he, she or they reside within the county, or if they reside out of the county, a copy of the rule shall be published in at least one news-paper printed in the proper county, or if there be none therein, then in some adjacent county, and in one daily news-paper of the city of Philadelphia, for the space of one month before the return thereof; and in case he, she or they do not come in, according to the said rule, and accept or refuse, the court shall and may direct the same to be offered to the next child or representative in order.

Such as accept the estate lying in one county, not to have a preference as to lands in any other county.

SECT. IX. *And be it further enacted by the authority aforesaid,* That where any person shall die intestate, after the passing of this act, leaving lands or tenements in more than one county in this Commonwealth, if after inquisition held, any of the legal representatives of such intestate shall accept of the real estate upon the valuation thereof, in any one county, such person shall not have the right of preference, or elect to take the real estate, or any part thereof in any other county, until all the other heirs or legal representatives shall refuse to take the same at such valuation.

Proceedings where the personal estate of a minor is not sufficient for his maintenance and education.

SECT. X. *And be it further enacted by the authority aforesaid,* That where it shall be made to appear to the orphans' court, that a minor child or children, is or are possessed of real estate, but is or are not possessed of personal estate, adequate to the maintenance and education of such minor child or children, then, and in every such case, the orphans' court of the county where the real estate lies, shall allow the guardian or guardians of such child or children, to make public sale thereof, or of so much of the said real estate upon the best computation they can make of the value thereof, as the said court shall judge necessary for the purposes aforesaid, and to make a title thereto to the purchaser: *Provided always,* That the guardian or guardians aforesaid, shall, before they proceed to convey, give bond with sufficient surety to the orphans' court, to dispose of the proceeds of sale for the use of the said minor or minors, and to invest within six months from the receipt of the same, so much thereof, if any there be, as shall not be immediately required in good real or other securities for the same use.

SECT. XI. *And be it further enacted by the authority aforesaid,*

\* "court" in the original.

That where any person or persons shall hereafter die, having made and executed any testament and last will, and shall not therein have disposed of the residue of his or her personal estate, the executor or executors therein named, shall distribute such undisposed of residue to and among the next of kin, agreeably to the intestate laws of this Commonwealth; but nothing in this section contained shall be construed to affirm or deny the right of any executor or executors to such undisposed of residue prior to the passing of this act.

How the undisposed residues of personal estates are to be distributed by executors. Proviso.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

#### CHAPTER XCIV.

*An ACT authorizing certain persons to sell and convey a tract of Land, the property of West-Caln Township, in the County of Chester.*

**W**HEREAS it hath been represented to the legislature, that a certain Abraham Dawson, did by his last will and testament, bequeath to the inhabitants of West-Caln township, Chester county, a certain tract of land containing thirty-two acres and an half, for the use of the poor of the said township, on condition of their paying to his executors the price of patenting the same: *And Whereas* it appears that this condition has been complied with, and that in consequence of the establishment of a county poor house, the poor are supported at the general expence of the county; it is therefore just and reasonable that the profits arising from the said tract of land, should now be applied to relieve the burthens of the said inhabitants in repairing their roads and highways, and as it appears that the land in its present state is unproductive, and that it would be more for the benefit of the said township, that it should be sold and the price invested in some productive fund for the use aforesaid: Therefore,

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That James McClellan and Hugh Thompson, esquires, are hereby authorized and empowered to sell and dispose of the aforesaid tract of land, with its several rights, privileges and appurtenances, as soon as the same can conveniently be done, either by public or

A tract of land bequeathed by Abraham Dawson of Chester

if any person or persons shall with the intent aforesaid, take off or cause to be taken off any horse or other beast or cattle of draught or burthen from any carriage of burthen or pleasure, or shall practise any other fraudulent means or device, with the intent to evade or lessen the payment of any such toll or duty, all and every such person or persons offending in manner aforesaid, shall for every such offence respectively forfeit and pay to the president, managers, and company of the Gap and Newport turnpike-road, the sum of fifteen dollars, to be sued for and recovered with costs of suit, before any justice of the peace, in like manner and subject to the same rules and regulations as debts of equal amount are or may be by law recoverable.

**SECT. XIV.** *And be it further enacted by the authority aforesaid,* That if the said company shall neglect to keep the said road in good and perfect order and repair, for the space of fifteen days, and information thereof shall be given to any justice of the peace of the proper county, such justice shall issue a precept, directed to any constable, commanding him to summon three judicious freeholders to meet at a certain time in the said precept to be mentioned, at the place in the said road which is complained of, of which meeting notice shall be given to the keeper of the gate or turnpike nearest thereto; and the said justice shall at such time and place by the oath or affirmation of the said freeholders, inquire whether the said road or any part thereof is in such good and perfect order and repair as aforesaid, and shall cause an inquisition to be made under the hands and seals of himself and a majority of the said freeholders; and if the said road shall be found by the said inquisition not to be in such good order and repair as herein is required, he shall so certify and send one copy of the said inquisition to each of the keepers of the turnpikes or gates between which such defective place shall be, and from thenceforth the tolls hereby granted to be collected at such turnpikes or gates for the intermediate distance between them shall cease to be demanded, paid or collected, until the said defective part or parts of the said road shall be put into good and perfect order and repair as aforesaid: And if any of the keepers of the gates aforesaid, shall take or attempt to exact tolls for the intermediate distance between the gates aforesaid, from any traveller during the time the road shall continue out of repair, such keeper shall forfeit and pay to the person who shall prosecute for the same, the sum of five dollars, to be recovered before any justice of the peace, as debts of equal amount are, or may be by law recoverable; but if the same road shall not be put into good and perfect order and repair before the next ensuing court of quarter sessions of the proper county, the said justice shall certify and send a copy of the said inquisition to the justices of the said court, and the said court shall thereupon cause process to be

Proceedings  
in case the  
road is not  
kept in good  
repair,

Penalty on  
toll gather-  
ers for exact-  
ing tolls  
whilst the  
road shall  
continue out  
of repair.  
Further pro-  
ceedings if  
the road  
shall con-  
tinue out of  
repair until  
the next en-

sue and bring in the bodies of the person or persons intrusted by the company with the care and the superintendence of such part of the said road as shall be found defective as aforesaid, and shall direct a bill of indictment to be sent to the grand inquest, against the person or persons intrusted as aforesaid, and upon conviction shall give such judgment according to the nature and aggravation of the neglect as the said court in their discretion shall judge proper: *Provided*, The fine in no instance shall be less than twenty dollars, nor exceeding one hundred dollars, and the fines so to be imposed shall be recovered in the same manner as fines for misdemeanors are usually recovered, in the said county, and shall be paid to the supervisors of the highways of the place wherein the offence was committed, to be applied to repairing such highways, as the township or county is bound to repair at the public expence thereof.

suings court  
of quarter  
sessions.

Limitation  
of the fines  
to be impos-  
ed for such  
neglect.

SECT. XV. *And be it further enacted by the authority aforesaid*, That the president and managers of the said company shall keep fair and just accounts of all monies which shall be received by them from the said commissioners and from the subscribers for the stock of the said company, on account of their several subscriptions, and of all penalties for the delay in the payment thereof, and of the amount of the profit on the shares which may be forfeited as aforesaid, and also of all monies by them to be expended in the prosecution of their said work; and shall once at least in every year, submit such accounts to a general meeting of the stockholders, until the said road shall be completed, and until all the costs, charges and expences of effecting the same shall be fully paid and discharged, and the aggregate amount of such expences shall be liquidated and ascertained, and if upon such liquidation or whenever the whole capital stock of the said company shall be nearly expended it shall be found that the said capital stock will not be sufficient to complete the said road according to the true intent and meaning of this act, it shall and may be lawful for the said president, managers and company at a stated or special meeting to be convened according to the provisions of this act or their own bye-laws, to increase the number of shares to such extent as shall be deemed sufficient to accomplish the work, and to demand and receive the monies subscribed for such shares, in like manner and under the like penalties as are herein-before provided for the original subscriptions, or as shall be provided by their bye-laws.

The presi-  
dent and  
managers to  
keep an ac-  
count of all  
monies  
which shall  
be received,  
&c.

And also of  
monies ex-  
pended, &c.  
Accounts of  
which to be  
annually  
submitted to  
a general  
meeting of  
the stock-  
holders.

The number  
of shares  
may be in-  
creased if  
the original  
subscription  
shall be  
found to be  
insufficient.

SECT. XVI. *And be it further enacted by the authority aforesaid*, That the said president, managers and company shall also keep a just and true account of all and every the monies to be received by their several and respective collectors of tolls, at the several gates or turnpikes on the said road, which shall not exceed one for every five miles after the said road is completed

President  
and mana-  
gers to keep  
a true ac-  
count of  
tolls.



**W**HEREAS it has been represented to the legislature, that John Allen, late of Morris county, in the state of New Jersey, served as a soldier, enlisted for and during the war, in the first regiment of Pennsylvania, for upwards of three years; that at the battle of York-town he received a wound, in consequence of which he was sent to the general hospital, from whence he obtained an honourable discharge dated twenty-second January, one thousand seven hundred and eighty-two, signed by lieutenant colonel F. Mentges; and it also appears that the said John Allen never received donation land, to which he was justly entitled: Therefore,

A grant of donation land to the heirs of John Allen.

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the land officers of this Commonwealth, be, and they are hereby authorized and required to issue a patent for two hundred acres of donation land, to the heirs of the said John Allen.

**SIMON SNYDER,** *Speaker of the House of Representatives.*

**P. C. LANE,** *Speaker of the Senate.*

**APPROVED**—the seventh day of April, in the year one thousand eight hundred and seven.

**THOMAS M'KEAN.**

## CHAPTER XCVIII.

*An ACT for the protection of Livery Stable keepers, and Inn keepers within this Commonwealth.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passing of this act, all livery stable keepers and inn keepers within this Commonwealth, shall have a lien upon any and every horse delivered to them to be kept in their stables, for the expence of the keeping; and in case the owner of the said horse or horses, or the person who delivered them for keeping to the keeper of the livery-stable or inn keepers, shall not pay and discharge the said expence, provided it amount to thirty dollars, within fifteen days after demand made of him personally, or in case of his removal from the place where such livery-stable or inn is kept, within ten days after notice of the amount due, and demand of payment in writing left at his last place of abode, the livery-stable keeper or inn keeper, may cause the horse or horses aforesaid, to be sold at public sale according to law, and after deducting from the amount of sales,

Livery of horses to be a lien on them. If not paid within 15 days after demand, or in case of removal from the stable, the horse may be sold to pay the expences of keeping.

the costs of sale and the expence of keeping, shall deliver the residue upon demand to the person or the agent of the person who delivered the horse or horses to him for keeping : *Provided always,* That nothing in this act contained, shall be construed to impair any right of action which the said livery-stable keepers or inn keepers may have against any person or persons, for the keeping his or their horse or horses.

SIMON SNYDER, *Speaker*  
of the House of Representatives,

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XCIX.

*An ACT enjoining certain duties on the judges of the Supreme Court.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the judges of the Supreme Court are hereby required to examine and report to the next legislature, which of the English statutes are in force in this Commonwealth, and which of those statutes in their opinion, ought to be incorporated into the statute laws of this Commonwealth.

The judges of the Supreme Court required to make report relative to certain English statutes.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER C.

*An ACT for the inspection of Hogs-Lard intended for exportation.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That all hogs-lard exported from any port or place on the river Delaware within this commonwealth, from and after the first day of July next, shall before exportation thereof be inspected in the same manner and under the same regulations in every particular, and by the same officer, as is directed and appointed

Hogs-lard exported from the port of Philadelphia subjected to inspection, by the

inspector of butter. in and by "An act for the inspection of butter intended for exportation," passed the seventh day of January, in the year of our Lord, one thousand eight hundred and four; which act shall be, and is hereby extended to the inspection of hogs-lard, as fully and effectually as if the said act in all its parts and sections had hereby been re-enacted: *Excepting nevertheless*, as to the weight of lard contained in any keg of the dimensions required, in and by the said act.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

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## CHAPTER CI.

*An ACT to enable John Edgar and John Galloway to convey certain town lots in the town of Mount-pleasant.*

**W**HEREAS Alexander M'Gready, late of Mount-pleasant township, in Westmoreland county, deceased, in his life time laid out a town in the township aforesaid, known by the name of Mount-pleasant: *And whereas*, the said deceased sold one lot by written contract, and several lots by verbal contract, and received the purchase money or a part thereof, and gave possession of the said lots to the respective purchasers; *viz.* Number twenty in Main-street, to Patrick Cunningham; number five in Main-street, to Michael Smith; and numbers nine, ten, eleven and twelve on the said Main-street, to Clements Burleigh; and number twenty-four on said Main-street, to Patrick M'Gready; and number twenty-three on said Main-street, to John Edgar, sen. but before the titles were made or completed to the purchasers, the said Alexander M'Gready died intestate, and the contracts between the parties are not such as will put it in the power of the courts to direct the administrators to complete titles thereto: *And whereas*, John Edgar and John Galloway, guardians of the minor children and property of the said intestate, have prayed the legislature to pass a law to authorize the said guardians to convey the aforesaid lots to the aforesaid purchasers: *And whereas*, it is represented that the title of the said Alexander M'Gready, to the aforesaid property was incomplete in his life time, but has since been perfected and vested in the guardians of his minor children, for the use of the said children: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly*

*met, and it is hereby enacted by the authority of the same, That John Edgar and John Galloway, guardians of the minor children and property of Alexander M'Gready, late of the town of Mount-pleasant, in the county of Westmoreland, deceased, be, and they are hereby authorized on the part and behalf of the heirs of the said deceased, to convey in fee simple all and every of the lots so as aforesaid sold and not conveyed by the said Alexander M'Gready in his life time ; and such conveyance shall vest the titles to the respective purchasers in fee simple, and be as valid in law to all intents and purposes as if the said Alexander M'Gready had conveyed the same in his life time : Provided, That said guardians first secure the payment of all the arrearages of purchase money, if any may be due or unpaid.*

The guardians of the minor children of Alexander M'Gready authorized to convey certain lots in Mountpleasant town Westmoreland county. Provided all arrearages be first paid on them.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CII.

*An ACT making an appropriation for improving the navigation of Le Beouff and French creek, from Waterford to the south line of Erie county.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the sum of five hundred dollars be, and the same is hereby granted to the commissioners of the county of Erie, to be by them applied to the clearing and improving the navigation of Le Beouff and French creeks, from Waterford to the south line of Erie county, to be paid out of the monies arising from the sales of the town and out-lots belonging to the commonwealth, in and adjoining the town of Erie in the county aforesaid.*

\$ 500 granted to the commissioners of Erie county for improving the navigation of part of Le Beouff and French Creeks. Duties enjoined on the commissioners.

SECT. II. *And be it further enacted by the authority aforesaid, That it shall be lawful for the commissioners aforesaid, or a majority of them, to contract with any person or persons for improving said creeks or any parts thereof within the limits assigned to them, and to take such surety or sureties for the faithful performance of such contract or contracts as they or a majority of them may think proper.*

SECT. III. *And be it further enacted by the authority aforesaid, That it shall be the duty of the said commissioners to render an account of the monies and expenditures aforesaid, to the auditors.*

Allowance to the commissioners. **tors for settling the accounts of the commissioners, who are hereby authorized to adjust and settle the same, and to allow the said commissioners one dollar and thirty-three cents for every day they shall be necessarily employed in the performance of the duties required of them by this act, to be paid out of the county treasury.**

**SIMON SNYDER, Speaker**  
*of the House of Representatives.*

**P. C. LANE, Speaker of the Senate.**

**APPROVED**—the seventh day of April, in the year one thousand eight hundred and seven.

**THOMAS M'KEAN.**

### CHAPTER CIII.

*An ACT appropriating a sum of money, for laying out and opening a State Road from Logan's Narrows in the County of Huntingdon to the State Road leading to Presque-Isle.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

Appropriation.

In what counties the money shall be expended. The Governor or to draw his warrant in favour of the commissioners of Huntingdon county for 300 dollars;

And of Centre county for 500 dollars.

How the accounts of the commissioners of the respective counties shall be settled, &c.

*That the sum of eight hundred dollars, be, and the same is hereby appropriated, for the purpose of laying out, and opening a state road to begin at Logan's Narrows in the county of Huntingdon, and from thence leading across the west branch of the river Susquehanna, near the mouth of Anderson's creek, in the county of Clearfield, to the state road which leads to Presque-Isle, three hundred dollars of which sum shall be expended upon that part of the road which shall be in the county of Huntingdon; and the remainder upon that part which shall be in the county of Clearfield.*

**SECT. II** *And be it further enacted by the authority aforesaid, That the Governor, be, and he is hereby authorized and required to draw his warrant upon the treasury, in favour of the county commissioners of Huntingdon county, for the aforesaid sum of three hundred dollars, and in favour of the county commissioners of Centre county, for the sum of five hundred dollars, and it shall be the duty of the commissioners aforesaid, to render an account of the expenditure of the said sums of money, respectively to the auditors for settling the accounts of the commissioners of their respective counties, who are hereby authorized to adjust and settle the same, and to allow the said commissioners one dollar and thirty-three cents, for every day they shall be necessarily employed, in the performance of the duties required of them by this act, to be paid by their respective counties*

SECT. III. *And be it further enacted by the authority aforesaid,* That the commissioners of the respective counties aforesaid, or a majority of them, be, and they are hereby authorized to contract with individuals for laying out, and opening so much of the aforesaid road, as shall be within the limits of their respective counties, and take such surety or sureties for the faithful performance of such contract, or contracts, as to a majority of them respectively shall appear necessary.

Commissioners of the respective counties to enter into contracts with individuals, &c. And take security for the due performance thereof.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

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CHAPTER CIV.

A SUPPLEMENT to the act entitled, “An act for the relief and support of Insolvent Debtors.”

WHEREAS it appears to the legislature, that the existing law for the relief and support of insolvent debtors, is defective, there being no effectual provision therein, to compensate jailors for the maintenance of such debtors while in confinement: For remedy whereof,

Jailor to be first compensated for the maintenance of a debtor, before any distribution of his property takes place.

SECT. I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,* and it is hereby enacted by the authority of the same, That where any person confined for debt in any jail of this Commonwealth, shall assign his or her property for the benefit of his or her creditors, the fees and charges of maintenance due the jailor at the time of the discharge of said debtor, (being approved by the court) shall have the priority, and be paid out of the property so assigned, previous to any distribution of the same.

When the courts of common pleas are to fix and order the daily allowance of poor and insolvent debtors.

SECT. II. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the several courts of common pleas in this Commonwealth, at their first term in each and every year, to fix and order a daily allowance for all such poor and insolvent debtors, as shall or may be confined in the prison of their respective county during the year, and have not property to support themselves; and it shall be the duty of the plaintiff or plaintiffs at whose suit any such debtor may be imprisoned, his or their agent or attorney, upon notice to him or them given by the keeper of the prison, to pay the said daily allowance at the prison on every Monday morning while the debtor continues in prison, on failure whereof, for the space of three days, the

Which allowance is to be paid by the plaintiff at whose suit the debtor is imprisoned.

And on failure thereof the prisoner being destitute of property may be discharged.

said debtor may apply to the court of common pleas if it be in session, or if not, then to a judge of the same court, who upon inquiry and finding the said debtor to be destitute of property for his support in prison, and failure of payment to have been made as aforesaid, shall forthwith discharge the said debtor from his imprisonment: *Provided always*, That the said daily allowance shall not exceed the sum of fourteen cents.

SECT. III. *And be it further enacted by the authority aforesaid*, That so much of any law of this state as is hereby altered or supplied, be, and the same is hereby repealed.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate*.

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CV.

*An ACT to enable the Governor to incorporate a Company, to make an artificial Road from the Court-House in the Borough of Gettysburgh, through Petersburg, to the Maryland Line near Biddle's Mill.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners appointed to receive subscriptions.

Form of subscription.

That James M'Sherry, John Shorp, Jacob Winterott, James Gettys, Alexander Cobean and Henry Hoke, be, and they are hereby appointed commissioners to do and perform the several duties hereinafter mentioned, that is to say, they shall, on or before the first day of November next, procure two books, and in each of them enter as follows, "We whose names are hereunto subscribed do promise to pay the president, managers and company, of the Gettysburgh and Petersburg turnpike-road, the sum of one hundred dollars for every share of stock in the said company set opposite to our respective names, in such manner and proportion as shall be determined by the said president and managers, in pursuance of an act of the General Assembly of this Commonwealth, entitled, "An act to enable the Governor to incorporate a company for making an artificial road, from the court-house in the borough of Gettysburgh, through Petersburg to the Maryland line near Biddle's mill, witness our hands the day of \_\_\_\_\_ in the year of our Lord, one thousand eight hundred and \_\_\_\_\_" and shall give notice in three of the public newspapers, one in the town of Hanover, one in Chambersburgh and one in Gettysburgh, for one month at least, of the

times when, and places where the said books will be open, to receive subscriptions of stock for said company, at which times and places two of the said commissioners shall attend, and shall permit and suffer all persons who shall offer to subscribe in the said books which shall be kept open for the purpose at least six hours in every juridical day, for the space of three days, if three days shall be necessary; and if at the expiration of the three first days, the said books shall not have three hundred and fifty shares therein subscribed, the said commissioners may adjourn from time to time, until the said number of shares shall be subscribed, of which adjournment public notice shall be given in at least two public newspapers; and when the said subscriptions in the said books shall amount to the number aforesaid, the same shall be closed: *Provided always*, That every person offering to subscribe in the said books, in his own name or in the name of any other person, shall previously pay to the attending commissioners, five dollars for every share to be subscribed, out of which shall be defrayed the expence attending the taking such subscriptions, and other incidental charges, and the remainder to remain in the commissioners hands for the use of the corporation; and as soon as the same shall be organized, and the officers chosen as hereinafter mentioned, then to be paid over to the treasurer of the said company.

Notice to be given of the time and place of receiving them.

For what time the books are to be kept open.

Of the first payment.

SECT. II. *And be it further enacted by the authority aforesaid*, That when the whole number of shares aforesaid, shall be subscribed, the said commissioners shall certify under their hands and seals, the names of the subscribers, and the number of shares subscribed by each subscriber, to the Governor of this Commonwealth, whereupon he shall, by letters patent under his hand and seal of the state, create and erect the subscribers into one body politic and corporate in deed and in law, by the name, style, and title of "The Gettysburgh and Petersburg Turnpike Company," and by the said name the said subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding the said capital stock, and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form \* as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing, taking and holding to them and their successors and assigns, and of selling, transferring and conveying in fee simple, and for any less estate, all such lands, tenements, hereditaments and estate, real and personal as shall be necessary to them in the prosecution of their works, and of suing and being sued, and of doing all and every other thing, which a corporation or body politic may lawfully do.

When a sufficiency of shares are subscribed the same to be certified to the Governor. Who shall thereupon incorporate the subscribers. Style and powers of the corporation.

\* "and" in the original.



The commissioners to give public notice of the time and place of meeting for organizing said company.

The company then to choose officers, &c.

The company to possess the same powers and be subject to the same restrictions as the Susquehanna and York borough turnpike road. The road to be begun in three and completed in seven years.

**SECT. III.** *And be it further enacted by the authority aforesaid,* That the said commissioners hereinbefore named, shall, as soon as conveniently may be, give thirty days notice in three public newspapers, one of which to be in the German language, of the time and place by them appointed for the said subscribers to meet, in order to organize the said corporation, and to choose by a majority of votes of the said subscribers by ballot, to be delivered in person or proxy duly authorized, one president, six managers and one treasurer, and such other officers as shall be deemed necessary to conduct the business of the said company until the second Monday of November next, and until like officers shall be chosen; and may make such bye-laws, rules, orders and regulations not inconsistent with the constitution and laws of this commonwealth, as shall be necessary for the well-ordering of the affairs of the said company, and generally have like powers, authorities and privileges necessary for carrying on and completing the said turnpike road, and be subject to all the duties, qualifications restrictions, penalties, fines and forfeitures, and be entitled to like tolls and profits as are given and granted to "The president, managers and company of the Susquehanna and York borough turnpike road," by an act of Assembly passed the nineteenth day of March, one thousand eight hundred and four: *Provided*, That if the company shall not proceed to carry on the said work within three years after the passing of this act, or shall not within seven years afterwards complete the said road according to the true intent and meaning of this act, then in either of these cases, all and singular the rights, liberties, privileges and franchises hereby granted to the said company shall revert to this commonwealth.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CVI.

*An ACT for extending the width of Wharf street, and regulating the wharves within the district of southwark.*

**W**HEREAS from the increase of trade, in the District of Southwark, the street called Wharf-street as laid out, under the act of Assembly, to which this is a supplement, is too narrow, and the docks too short to accomodate the shipping in the winter season; and the wharves or piers erected on the plan

heretofore adopted, cause the docks to fill with mud for want of a regular current of water through them; and many of them are not sufficiently strong and durable: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the street called Wharf-street, shall hereafter be fifty feet wide, to be widened on the east side of the said street to that width, and when the intercourse through the said street shall require it, the commissioners of the district of Southwark, shall order and direct a foot pavement to be laid off, not less than twelve feet wide, with kirk-stone on the west side of the said street, under such regulations and restrictions as the foot pavements of other streets are regulated and paved in the district.

Wharf-street widened.

When the foot pavement shall be made,

SECT. II. *And be it further enacted by the authority aforesaid,* That all and every person or persons, intending hereafter to wharf any part of their estate beyond the west side of Wharf-street, shall in the first instance extend no further than the east side of said street, the front of which shall be composed of good solid square timber, down to the bottom and well secured.

How the street may be wharfed.

SECT. III. *And be it further enacted by the authority aforesaid,* That all pier heads, hereafter intended to be sunk in the river, beyond the east side of Wharf-street, shall be of the width of not more than thirty feet from east and west, and shall be so sunk that the easternmost side of the said pier-head, shall be at the distance of one hundred and twenty-five feet, from the east side of Wharf-street, and no more, and the said pier shall be composed of good substantial square timber, down to the bottom and well fitted and secured.

How pier heads may be sunk on the east side of Wharf-street.

SECT. IV. *And be it further enacted by the authority aforesaid,* That a pier or wharf, may be placed and sunk at equal distance between the west side of the pier-head aforesaid, and the east side of Wharf-street, of not more than twenty feet in width east and west, and platformed to the pier-head and Wharf-street, or may be platformed on piles from the west side of the pier head, to the east side of Wharf-street, without the middle pier, at the discretion of the owner.

Of sinking intermediate piers.

SECT. V. *And whereas,* There are certain wharves in the said district, which are already extended in such a manner, as to prevent a strict compliance with the provisions of this act.

*BE it therefore enacted,* That the owner or owners, of any estates, within the district aforesaid, on which such wharves have been already erected, shall be authorized to erect a pier, at the distance of one hundred and twenty-five feet, from the east side of Wharf-street, in the manner and under the regulations herein before prescribed; but no person erecting such pier, shall be at liberty to erect a middle pier, without the consent of the war-

Of wharves extended already too far, to permit a compliance with the provisions of this act.

Where middle piers are not to be erected without the consent of the wardens.

dens of the port of Philadelphia in writing; and the said wardens shall on a view of the premises, determine whether the said middle pier shall be erected, or that a platform shall be laid on piles, from the outer pier to the wharf already erected, as the one or other shall be most conformable to the meaning, and intent of this act.

Prohibition of erecting wharves in the District of Southwark, without the consent of the wardens &c.

Penalty for so doing or assisting therein.

To what use the penalty to be applied.

Proviso as to wharves west of Wharf-street.

SECT. VI. *And be it further enacted by the authority aforesaid,* That from and after the passing of this act, it shall be the duty of every person, intending to erect a pier or wharf, in the river Delaware, in the district of Southwark, to exhibit a plan of the same to the wardens of the port of Philadelphia; and if the plan so exhibited is on examination, found to be conformable to the provisions of this act, the wardens shall in writing, signify their assent to the same; and if any person or persons shall hereafter erect or cause to be erected, or if any master workman or undertaker, shall be aiding or assisting, in erecting or sinking any pier or wharf contrary to the provisions of this act, he she or they on conviction thereof, shall forfeit and pay to the commissioners of the district of Southwark, for the use of paving the streets of the said district, the sum of four thousand dollars, to be by them recovered in any court of record in the county of Philadelphia: *Provided always,* That any thing contained in this section, shall not extend to any wharf or pier which shall be sunk west of Wharf-street.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CVIL

*An ACT vacating a part of the old York road, and authorizing the court of quarter sessions of Montgomery county to direct a new road to be laid out in place thereof.*

**W**HEREAS it has been represented to the legislature, that in pursuance of an order of the Governor and council of the then province of Pennsylvania, passed in the year one thousand seven hundred and twelve, a provincial or state road was laid out from John Reading's landing on the river Delaware, to the city of Philadelphia: That the said commissioners did not direct of what width the said road, commonly called the old York road, should be; and that the persons employed to open the same did not do it upon the ground intended by the com-

missioners ; and for want of certain and permanent marks at the different angles of the road as laid out by the commissioners, and from the lapse of time, it is not now practicable to ascertain with certainty where the road was originally laid : That in consequence of this, disputes have arisen among the persons holding lands on the said road, involving the peace and harmony of the neighbourhood : *And whereas*, doubts have arisen as to the power of the ordinary courts of the proper county to remedy those evils, inasmuch as the said road is considered as a state road : For remedy whereof,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the road commonly called the old York road, as lies between the termination of the Cheltenham and Willow Grove turnpike, and the south-west boundary of Bucks county, be, and the same is hereby vacated ; but the same shall nevertheless be, and remain, and be used and occupied as it now is, for and during the space of one year from the passing of this act ; and if any person or persons within the time aforesaid shall, by buildings or otherwise, encroach upon the said road as it is now used and known, he or they shall be liable to indictment for the same, and the court after judgment may direct the nuisance forthwith to be removed.

Part of the old York road vacated.

But to remain open for the space of one year. Encroachments on the road for that time made punishable.

SECT. II. *And be it further enacted by the authority aforesaid,* That the court of quarter sessions of Montgomery county, is hereby authorized and required immediately after the passing of this act, to appoint a jury of twelve men to view the said road, no one of which jury shall be owners of real estate adjoining the said road ; and if the said jury or any seven of them shall be of opinion that the said road as it now runs, and is known and occupied, is of sufficient width and of proper courses in the said county, they shall cause the same to be accurately surveyed, and some permanent mark to be placed on the west side of the road at its commencement and termination, and on the same side at the different angles thereof, and make return of their proceedings to the court aforesaid ; and if the court approve and confirm the same, it shall thereafter be and remain a county road, subject to the same regulations as to the repairs thereof, and remedies for nuisances as any other county road in this commonwealth : *Provided always,* That the expence incurred in examining and laying out the said road shall be discharged by the county of Montgomery.

How a jury is to be appointed to view the road. Who are disqualified, &c.

SECT. III. *And be it further enacted by the authority aforesaid,* That if the said viewers or any seven of them shall be of opinion that the said road, as it is now occupied and known, requires to be increased in width or altered in its courses, the said jury or

In case a majority of the viewers, should not approve of the width and

to alter the same and make returns of their proceedings, saving the rights of indemnification. And if the court confirm the same to be a county road.

the courses of the said road, and make return of their proceedings to the court aforesaid, saving to all parties their right of indemnification, agreeably to the provisions of the act, entitled: "An act for laying out, making and keeping in repair the public roads and highways within this commonwealth, and for laying out private roads." And if the court approve and confirm the report of the jury aforesaid, it shall be and remain a county road, subject to the same regulations as other county roads within this commonwealth.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CVIII.

*An ACT vesting a title to sixty acres of land in Mahonoy township, Northumberland county, in certain trustees and their successors, for the benefit of a congregation composed of Presbyterians and Lutherans.*

WHEREAS it has by petition been represented to the legislature by the members of a congregation composed of Presbyterians and Lutherans, that the said congregation have erected a house for public worship and a school-house, on a tract of land containing about sixty acres, situate in Mahonoy township, in Northumberland county, which tract is the property of the commonwealth; that the land is of inferior quality and but little improved, and the congregation but few in number, and not wealthy; they therefore have prayed the legislature to vest a title in certain trustees and their successors, for the benefit of the said congregation, in enabling them to promote piety and diffuse useful learning: *And whereas*, it is just and consistent with a generous policy which ought to be pursued in a republican government to aid their less wealthy citizens in establishing useful institutions: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the officers of the land office are hereby authorized and required to issue a warrant, and complete a title on receiving the usual office fees, for sixty acres of land situate in Mahonoy township, in Northumberland county, and adjoining lands of Adam Campbell, Nicholas Bob, Anthony Dockey and Jacob Yeagley,

Sixty acres of land in Northumberland county, granted to trustees for the use and benefit of the congregation of Mahonoy township, composed of Presbyterians and Lutherans.

unto Adam Lenker, esquire, and John Bingman, and their successors, in trust and for the sole use and benefit of the congregation of Mahanoy township, composed of Presbyterians and Lutherans.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CIX.

*An ACT to enable David Mahon, John Simpson and others, to restore a stream of water, in the neighbourhood of Shippensburg in the county of Cumberland to its ancient course, and for other purposes therein mentioned.*

**W**HEREAS it has been represented by David Mahon, John Simpson and others, inhabitants of Shippensburg and its vicinity of Cumberland county, that they labour under great inconvenience from the want of water in their wells, and through their farms, occasioned as they conceive from a sudden termination of an ancient stream, by the waters wholly sinking into the ground, on the plantation of a certain Adam Myer, in the same neighbourhood, and passing off through a subterraneous channel without making its appearance again: *And whereas*, it is manifest, that unless the said stream can be restored to its former course, the real property in the village of Shippensburg and the farms adjacent, will daily diminish in their value, and thereby occasion a loss to the public, as well as to the said inhabitants: *And whereas*, no contract can be entered into with the said Adam Myer to restore said stream of water to its ancient course, that will effectually secure the right thereof to said inhabitants, by reason of the said Adam Myer having long since mortgaged his said plantation: *And whereas*, there are certain cases, in which the property of an individual with just compensation therefor, must yield to the public good, and the present in the opinion of the legislature being one: Therefore,

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That David Mahon, John Simpson, George M'Candless, Robert Porter, John Duncan, and their associates or agents of the county aforesaid, or either of them, shall have full power and authority, to enter into and upon a certain tract of land now in the tenure and possession of a certain Adam Myer, situated in the*

David Mahon and others authorized to enter on the lands, now in the tenure of Adam Myer, situate in Cumberland county for the purpose of restoring a stream of water to its

township of Southampton in the county aforesaid, bounded as follows; to wit, adjoining lands of the heirs of John McLean on the south, lands of the heirs of Thomas Nichols on the east, lands late of the heirs of John McKnight, now John Wallace on the north, and lands of the heirs of Robert Coffy on the west, and taking such assistance as may be necessary, and to restore a stream of water which formerly ran through said tract of land to its ancient course, or to conduct the same water by digging a different course across said land, doing at the same time as little damage to the premises as may be, that may best accommodate the inhabitants of the village of Shippensburg and its vicinity. *Provided always*, that previous to the said David Mahon, John Simpson, George McCandless, Robert Porter, John Duncan their associates or agents, or either of them entering into, and upon said land for the purposes aforesaid, notice shall be given to the owner or owners thereof, if he, she or they be living within this state, and due diligence used to obtain by purchase or otherwise from him, her or them, the right so to do.

SECT. II. *And be it further enacted by the authority aforesaid*

That after notice as aforesaid to the owner or owners of said tract of land, by the said David Mahon, John Simpson, George McCandless, Robert Porter, John Duncan, their associates or agents, or either of them, shall have been given, and the said owner or owners shall refuse to agree with the aforesaid persons or their associates or agents or either of them, for permission to restore or to conduct the water across the said land as by the foregoing section of this act is mentioned, or if the owner or owners of said tract of land shall not be resident within this state, then in either of which cases it shall be lawful for the aforesaid persons, their associates or agents, or either of them, to apply to the judges of the court of common pleas of said Cumberland county, stating the facts and the name or names of said owner or owners, together with a description of said land, who upon such application are hereby empowered and enjoined to frame and issue one or more writ or writs, in the nature of a writ of *ad quod damnum*, naming the said owner or owners, and describing said tract of land, directed to the sheriff of their county, commanding him that he by oaths and affirmations of twelve good and lawful men of his bailiwick, enquire whether any and what damage will ensue to the said owner or owners, from restoring said water to its ancient course, or carrying it across the said land in some other direction for the purpose aforesaid, and return the same writ with the finding of such jury in the premises, to them the said judges at their next term, and upon the said writ being delivered to the said sheriff, if the owner or owners of said land therein named shall reside in his bailiwick, he shall serve him, her or them with a written notice of the time and place at least

Doing as little damage to the premises as may be;

But first to give notice to the owner and endeavour to purchase of him the right of entering, &c.

Proceedings to ascertain the damage done, the owner by restoring said water course, in case he refuse to sell the right.

ten days before the executing of the same writ ; and if the said owner or owners should not reside within his said bailiwick, the said sheriff shall give notice by at least setting up four advertisements in four of the most public places in his county, and inserting it in one of the newspapers printed in the borough of Carlisle, at least four weeks before the executing of the said writ, and the said sheriff on the day, and at the time by him thus named and appointed, shall cause to go upon the said tract of land, twelve good and lawful men as jurors selected by him, to whom he shall administer an oath or affirmation, that they will diligently enquire concerning the matters and things in the said writ specified, according to the best of their skill and judgment, and thereupon the said sheriff and inquest, shall proceed to view and assess the damages which will accrue to the owner or owners of said land, from restoring the said stream of water to its ancient course, or taking it in some other direction, in which latter case the course in the said inquisition shall be laid down and particularly described, together with the amount of the damages if any so found, duly expressed under the hands and seals of the said jurors; and the inquisition so taken together with the writ aforesaid, the said sheriff shall return to the said judges of the court of common pleas aforesaid, and if the said judges shall approve of the same, then in that case, the said judges shall render judgment that the aforesaid persons, their associates or agents, or either of them, paying the money to the owner or owners, which may have been assessed by the jurors aforesaid, or paying the same into the hands of the prothonotary of said county, for the use of said owner or owners of said tract of land; the said David Mahon, John Simpson, George M'Candless, Robert Porter and John Duncan, their associates or agents, shall have full power and authority to enter into and upon the said premises, and to restore the said stream of water to its ancient course, or to conduct it in some other course, as in said inquisition shall have been described, and at all times thereafter, as occasion may require, making amends therefor, if any damages they shall do, to keep the same water-course in repair.

On payment of which damages the said David Mahon and others, authorized to enter on the premises, &c.

**SIMON SNYDER,** *Speaker*  
*of the House of Representatives.*

**P. C. LANE,** *Speaker of the Senate.*

**APPROVED**—the seventh day of April, in the year one thousand eight hundred and seven.

**THOMAS M'KEAN.**



## CHAPTER CX.

*A SUPPLEMENT to, and making perpetual an act, entitled "An act for the recovery of debts and demands not exceeding one hundred dollars before a justice of the peace, and for the election of constables and for other purposes."*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same*

Extent of the jurisdiction of justices of the peace and Aldermen to be one hundred dollars.

That the justices of the peace of the several counties of this state and aldermen, shall have jurisdiction of all causes of action arising from contract, either express or implied, in all cases where the sum demanded is not above one hundred dollars, except in cases of real contract where the title to lands or tenements may come in question, or action upon promise of marriage.

Appeal allowed where the judgment exceeds twenty dollars. Consequences to which the appellant subjects himself if he fail to the appeal.

SECT. II. *And be it further enacted by the authority aforesaid* That the right to appeal from the judgment of a justice or alderman rendered on award of referees, shall be allowed in all cases where the judgment shall exceed twenty dollars, subject to all the consequences resulting from and by the fourth section of the act to which this is a supplement to the party appellant, if he shall fail, and subject moreover to the payment of four dollars to be paid by such party in lieu of counsel-fee, which the opposite party may have paid in sustaining his cause before the court, and on the reversal or an abatement of the amount of a judgment brought from before a justice of the peace or alderman by appeal, the defendant, if the appellant, shall be allowed his daily pay and costs only, in case he produces no evidence before the court, other than that which he exhibited before the justices or referees, or in case of his having offered legal security if he is not a freholder, for his appearance on an after day, or being a freholder was refused time to prepare or produce his proofs, or in case of judgment against him by default, the plaintiff refused his consent to a rehearing.

In what cases the defendant if the appellant, shall have an allowance.

Defendant refusing or neglecting to set off his book account, afterwards barred from recovering it by suit, from plaintiff. But in case of judgment by default, defendant, if he have an account to set off, shall be entitled to a rehearing on certain conditions.

SECT. III. *And be it further enacted by the authority aforesaid* That a defendant who shall in any case refuse or neglect to set off his book-account against a plaintiff, which shall not exceed the sum of one hundred dollars before a justice of the peace or alderman, shall be and is hereby for ever barred from recovering against the party plaintiff by any after suit: But in case of judgment by default the defendant if he has any account to set off against the plaintiff's demand, shall be entitled to a rehearing before the justice or alderman, within twenty days, on proof being made either on the oath or affirmation of the defendant or other satisfactory proof, that the defendant was absent when the process was served, and did not return home before the return-day of such process, or that he was prevented

by sickness of himself, or other unavoidable accident, and the justice or alderman shall have power to render judgment for the balance in favour of the plaintiff or defendant, as justice may require

SECT. IV. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the person in whose favour such judgment may be given, in all cases of payment of the amount thereof, together with the costs, within three months thereafter, either by himself or his agent, to enter satisfaction on the docket of the justice or alderman, under a penalty of one-fourth of the amount of the debt paid, for the use of the party aggrieved, except where one of the defendants (if there be more than one), shall by a writing to be filed by him in the said office within twenty days after payment, forbid the plaintiff so to do, and the usual fee for entering satisfaction, shall be charged to, and be paid by the defendant.

Person in whose favor judgment is given; on payment of the amount, to enter satisfaction on the justice's docket.

Except &c.

SECT. V. *And be it further enacted by the authority aforesaid,* That process to be awarded against a constable for default, may be directed to and be executed by any other person who shall consent thereto, and having so consented, by accepting of such process, shall be bound to execute the same under a penalty of twenty dollars, to be recovered as other fines are recoverable by the act to which this is a supplement.

Of process awarded against a constable for neglect of duty.

SECT. VI. *And be it further enacted by the authority aforesaid,* That it shall be the duty of each and every alderman and justice of the peace, in case of his resignation or removal from office, and of his legal representatives, in case of the death of such alderman or justice of the peace, to deliver his docket, together with all the notes, bonds, accounts and papers in his possession, touching any judgment or suit entered thereon, to some other alderman of the city or to the nearest justice of the county: *Provided,* That if the alderman or justice so having resigned, or been removed, or the legal representatives of a deceased alderman or justice, shall choose to retain the said docket, he or they shall on demand deliver a certified transcript of any judgment or proceedings in any suit therein, to the party or parties interested, under the penalty of one hundred dollars, to be recovered by the party grieved, in the same manner as debts of that amount are by law recoverable: And the said alderman or justice of the peace to whom the said docket or transcript shall be delivered, shall issue process and proceed thereon in the same manner and with the like effect as the said justice so having died, resigned or having been removed, might have done, if he had remained in office.

In case of the resignation, removal from office or death of any alderman or justice of the peace, his docket with all official papers to be delivered to some other alderman, or to the nearest justice of the county.

But if the docket be retained, certified transcripts therefrom are to be delivered to the parties applying therefor.

Under what penalty. The alderman or justice to whom such docket and transcript is delivered, authorized to proceed thereon, &c.

SECT. VII. *And be it further enacted by the authority aforesaid,* That if the party defendant shall not reside in the county where a judgment is had against him before a justice of the peace, the

How plaintiff is to pro-

ceed to recover the amount of his judgment, in case the defendant reside out of of the county.

person in possession of the docket in which such judgment may be entered, on application to him made by the plaintiff or his agent, shall make out, certify and deliver to such applicant, a transcript thereof, and also deliver all evidence in his possession connected therewith for the fee of twenty-five cents, for the recovery of the amount thereof with costs; any justice of the peace in any county where the defendant may reside or can be found, may proceed as in other cases.

**SECT. VIII.** *And be it further enacted by the authority aforesaid,* That any justice of the peace or alderman, shall take cognizance of any matter or thing made so by this act, and the act to which this is a supplement, for any sum exceeding one hundred dollars if the parties voluntarily appear before him for that purpose, and shall proceed for the recovery thereof by entering judgment if confessed or if submitted to him by reference, but no execution shall issue before the expiration of one year from the date of such judgment, if the party defendant is a freeholder or shall have entered special bail; and the party plaintiff shall have the right at any time before the execution is issued, to file in the office of the prothonotary of the proper county, a transcript of such judgment, which shall remain a lien on the real estate of the defendant until paid; but no execution shall be granted by the said prothonotary, the justice or alderman for the recovery thereof with interest, before the expiration of one year, counting from the date of the judgment, except the defendant is not a freeholder or shall not have entered the requisite bail before the justice: But if it shall afterwards appear by due proof on oath or affirmation that there is just cause to believe that any such judgment was confessed for the purpose and with a view to defraud just creditors, it shall be the duty of the justice or alderman to transmit a certified transcript of his proceedings to the prothonotary of the proper county, who shall file the same for adjudication of the court of common pleas, whose judgment thereon shall be final; and if on trial of the merits of the cause it shall be found that the sum for which judgment was confessed was not actually due at the time, both the parties, if both shall have been privy to the fraud, shall each pay a fine equal to the amount of such fraudulent judgment, and shall also pay the reasonable costs and expenses of the party prosecuting, or in case of inability to pay such fine and costs, shall be imprisoned for six months; but if it shall appear on such trial, that the judgment was just, the party prosecuting shall pay all the costs of suit and the reasonable costs of the parties to such judgment.

**SECT. IX.** *And be it further enacted by the authority aforesaid,* That where any writ of certiorari shall be issued to remove the proceedings before or judgment of any justice of the peace, or

Justices, &c. may take cognizance in cases exceeding \$100, by consent of parties.

And may enter judgment for the amount.

But no execution to issue under one year if the party defendant be a freeholder, &c.

Plaintiff to have a right at any time before execution issued, to file in the Prothonotary's office, a transcript of such judgment which shall be a lien on defendant's real estate, &c.

Proceedings and penalty where judgments are confessed with a view to defraud creditors.

Judgments of the court of common-

alderman, the judgment of the court of common pleas thereon shall be final, and no writ of error shall issue thereon, and awards made out by referees though not under seal, shall be good and available.

pleas, on certiorari's, to be final; and awards good, though not under seal.

SECT. X. *And be it further enacted by the authority aforesaid,* That in all cases where a warrant, or capias on original process, may be issued against the person of a debtor, it shall and may be lawful for the proper constable of any township, town, ward or district, to take bail for the appearance of the defendant before the justice from whom said warrant or capias may have been issued, in the following words: "We A B and C D, are held and firmly bound unto E F, constable of \_\_\_\_\_ in the sum of \_\_\_\_\_

Where a warrant or capias issue, the constable authorized to take a bail-bond for the appearance of the defendant.

on condition that the said A B shall be, and appear before G H esquire, justice of peace in the \_\_\_\_\_ of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ to answer unto \_\_\_\_\_ in a plea of \_\_\_\_\_ of \_\_\_\_\_

Form thereof.

Witness our hands and seals, the \_\_\_\_\_ day of \_\_\_\_\_ "and if on return of the said warrant or capias, the defendant shall not appear and enter bail before the justice in the nature of special bail, the constable may assign the obligation aforesaid to the plaintiff, if he will accept the same, which obligation may be sued in the name of the plaintiff as assignee of the said constable; but if the bail for the appearance so taken by the constable shall be insufficient, the constable shall be liable therefor, as sheriffs now are, to the plaintiff or plaintiffs named in the warrant or capias, notwithstanding such assignment; but if the defendant shall appear and enter special bail, the justice may proceed to the final determination of the suit according to law, and after judgment such bail shall be proceeded against by scire facias, and shall be liable in the same manner as special bail is now liable in cases in the courts of common pleas, and may surrender the principal to the jail of the proper county within ten days after service of the scire facias, in discharge of the bail: *And provided also,* That the bail to the constable may enter sufficient special bail to the suit, or cause it to be entered at the return of the warrant or capias, in discharge of the obligation where the defendant may neglect or refuse to appear, in which case the justice may proceed in the same manner as if the defendant had appeared.

If defendant do not appear on return of the capias and enter special bail, constable may assign bail-bond, &c.

Where constable is to be liable. Proceedings if defendant appear and enter special bail.

The bail to the constable may enter special bail, where defendant neglects to appear, &c.

SECT. XI. *And be it further enacted by the authority aforesaid,* That the act entitled, "An act for the recovery of debts and demands not exceeding one hundred dollars before a justice of the peace, and for the election of constables, and for other purposes," except the twenty-first section thereof, be, and the same is hereby made perpetual.

The original act except, &c. made perpetual.

SECT. XII. *And be it further enacted by the authority aforesaid,*

who having adjusted shall cause them to be published.

and the said accounts being adjusted and settled accordingly, shall be forthwith published by said auditors shewing particularly the amount of taxes laid and collected, and of the expenditures.

Duty of the high constable.

SECT. III. *And be it further enacted by the authority aforesaid.* That it shall be the duty of the high-constable to give notice of the annual elections of the said borough in the same manner as is directed in the second section of the act to which this is a supplement, for special election.

Borough taxes limited.

SECT. IV. *And be it further enacted by the authority aforesaid.* That no tax shall be laid in any one year on the valuation of taxable property exceeding one half cent in the dollar, unless some object of general utility shall be thought necessary, in which case a majority of the freeholders resident in said borough by writing under their hands shall approve of the same, and thereupon the council shall proceed to assess such sum as may be necessary.

Of the weekly markets.

SECT. V. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the inhabitants of the said borough, to hold at the place selected for that purpose within the said borough, two markets in each week; *that is to say*, one on Wednesday and one on Saturday in every week of the year for ever, and two fairs, the first to begin on the first Monday of June in the year one thousand eight hundred and seven, and the other of said fairs to begin on the fourth Monday of September following, and on the same days annually for ever thereafter, each fair to continue two days, together with free liberties, customs, profits and emoluments to the said markets and fairs belonging or in anywise appertaining for ever.

To be two fairs annually.

A former act repealed, so far as respects the town of Somerset.

SECT. VI. *And be it further enacted by the authority aforesaid,* That the act, entitled "An act to regulate fences and to appoint appraisers in each township in the counties of Bedford, Northumberland, Westmoreland, Washington and Fayette, and to encourage the raising of swine," passed the twenty-seventh day of March, one thousand seven hundred and eighty-four, be and the same is hereby repealed, so far as the same respects and is, in force in the borough of Somerset, in the county of Somerset, agreeably to the now limits of the said borough.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the ninth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXIII.

*An ACT authorizing the President of the United States to open a Road through that part of this State lying between Cumberland, in the State of Maryland, and the Ohio River.*

**W**HEREAS by an Act of the Congress of the United States, passed on the twenty-ninth day of March, one thousand eight hundred and six, entitled "An Act to regulate the laying out, and making a road from Cumberland in the state of Maryland, to the state of Ohio," the President of the United States is empowered to lay out a road from the Patomac river to the river Ohio, and to take measures for making the same, so soon as the consent of the legislatures of the several states through which the said road shall pass, could be obtained: *And whereas*, application hath been made to this legislature, by the President of the United States, for its consent to the measures aforesaid: Therefore,

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the President of the United States, be, and he is hereby authorized to cause so much of the said road as will be within this state, to be opened so far as it may be necessary the same should pass through this state, and to cause the said road to be made, regulated and completed, within the limits, and according to the intent and meaning of the before recited Act of Congress in relation thereto: *Provided nevertheless*, That the route laid down and reported by the commissioners, to the President of the United States, be so altered as to pass through Uniontown, in the county of Fayette, and Washington in the county of Washington, if such alteration can, in the opinion of the President, be made, consistently with the provisions of an act of Congress passed March 29th 1806, but if not, then over any ground within the limits of this state, which he may deem most advantageous.

The president of the U. States authorized to have opened that part of the road from Cumberland to the Ohio which lies within this state, and completed agreeably to the intent of an act of Congress.

*Proviso.*

**SECT. II.** *And be it further enacted by the authority aforesaid,* That such person or persons, as are or shall be appointed for the purpose of laying out and completing the said road, under the authority of the United States, shall have full power and authority to enter upon the lands through which the same may pass, and upon any land near or adjacent thereto, and therefrom to take, dig, cut and carry away, such materials of earth, stone, gravel, timber and sand, as may be necessary for the purpose of completing, and for ever keeping in repair said road: *Provided*, That such materials shall be valued and appraised, in the same manner as materials taken for similar purposes, under the authority of this Commonwealth are by the laws thereof, directed to be valued and appraised, and a certificate of the amount thereof

The persons appointed, to lay out and complete the road authorized to enter on the lands through which it may pass, &c. for the purpose of taking the necessary materials, &c.

Such materials to be valued,

shall, by the person or persons appointed, or hereafter to be appointed under the authority of the United States for the purpose aforesaid, be delivered to each party entitled thereto, for any materials to be taken by virtue of this act, to entitle him, her or them, to receive payment therefor from the United States.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the ninth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXIV.

*An ACT to raise by way of Lottery, a sum not exceeding three thousand dollars, to enable the inhabitants of the borough of York to bring in a stream of Water to supply their Fire-Engines, and for other purposes.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

Commission- That William Barber, George Hay, John Stewart, Jacob Hahn, ers of the William Ness, Samuel Spangler, Jacob Eichelberger and John lottery. Fisher, be, and they are hereby appointed commissioners to raise by way of lottery a sum of money not exceeding three thousand Sums to be raised. dollars, to enable the inhabitants of the borough of York, to bring in a stream of water into said town, for supplying the fire-engines in case of accidents by fire, and for other useful purposes. Object.

Commission- SECT. II. *And be it further enacted by the authority aforesaid,* That the commissioners, before they proceed to sell any tickets in the said lottery, shall lay such scheme thereof before the Governor as shall meet his approbation, and enter into bonds to him for the due performance of their duty in selling the tickets, drawing the lottery and paying the prizes; and each of them, before entering on the duties of his appointment, shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby entrusted to him; and two of the commissioners at least shall attend each day's drawing of the aforesaid lottery, and when the whole is completed, shall cause an accurate list of the fortunate numbers to be published in one newspaper at least, printed in the following towns; viz. York, Lancaster, Carlisle, Chambersburg, and Gettysburg. Empowered to adjust and pay all lawful debts incurred under this act.

SECT. III. *And be it further enacted by the authority aforesaid,* That the commissioners be, and they are hereby authorized, to

settle and adjust all accounts which may be exhibited by any Empowered person or persons legally employed in carrying this act into effect, to adjust and pay all lawful and all expences necessarily attending the same shall be paid by deb'ts incur- the aforesaid commissioners out of the nett proceeds of the said red under lottery. this act.

SECT. IV. *And be it further enacted by the authority aforesaid,* That all prizes not demanded within twelve months after the publication as aforesaid, shall be considered as relinquished for the benefit of the said lottery. Within what time prizes are to be demanded, &c.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the ninth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

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## CHAPTER CXV.

*An ACT for extending an act, entitled "An act, regulating and continuing the distribution of Donation Lands."*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An act regulating and continuing the distribution of donation lands," passed the twenty-fifth day of March, one thousand eight hundred and five, be, and the same is hereby extended, and all matters and things therein contained, (the limitation clause only excepted), shall be and continue in force until the first day of April, one thousand eight hundred and eight. The act for the distribution of donation lands continued till April 1st, 1808.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the ninth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.



## CHAPTER CXVI.

*A further SUPPLEMENT to the act, entitled "An act for the regulation of the militia of the Commonwealth of Pennsylvania".*

**W**HEREAS it hath been represented to the legislature, that a number of persons have been draughted to serve a tour of militia duty in the Western Expedition, in the year one thousand seven hundred and ninety-four, and subjected to the payment of heavy fines, some of whom never had notice of their being drawn and consequently no notice of the day of appeal: Therefore,

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the brigade inspector of each brigade where any of the fines are yet in arrear and uncollected, for not performing a tour of militia duty in the Western Expedition, is hereby authorized and required, taking to his assistance at least two of the field officers of the regiment, to hold an appeal within six months after the passing of this act, of which appeal not less than thirty days notice shall be given by six or more advertisements, put up at the most public places within each regiment of the time and place of such appeal, and make such allowances as to them or a majority of them may seem just and reasonable, having regard to the law then in operation; and before they proceed to business shall take an oath or affirmation well and truly to execute and discharge the duties enjoined on them by this act, which the brigade inspector is hereby empowered to administer; and each of them shall receive two dollars each day actually employed in the said service, to be paid to them by the brigade inspector out of the said fines, and to be allowed to him on settlement of his accounts.

The brigade inspector of each brigade, where fines for not performing militia duty on the western expedition, are in arrears, authorized, with the assistance of two field officers to hold a court of appeal, of which notice is to be given. Proceedings of such court. Compensation.

**SECT. II.** *And be it further enacted by the authority aforesaid,* That the constable or other person who shall collect the said fines, shall receive from the brigade inspector five per centum of all the fines thus collected in addition to his other allowance as a compensation for collecting the same; and in addition, thereto, if he shall be under the necessity of making sale of any delinquents property, or shall commit the body of such delinquent to the jail of the county, then, and in either case, he shall receive such fees as are allowed by law in civil cases for similar services, to be paid by such delinquent; and the brigade

Compensation of the constable or person who collects the fines. Additional fees allowed where he has to make sale of delinquents property.

inspectors respectively, shall receive in addition to their other allowances for their services in carrying the provisions of the act passed April the eleventh, one thousand seven hundred and ninety-three, and the ninth section of a supplement thereto, passed April the fourth, one thousand eight hundred and five, into effect, five per centum on all the monies collected and paid into the state treasury, after deducting the disbursements made out of the same.

Additional compensation to the brigade inspector.

SECT. III. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the brigade inspectors respectively, to appoint a suitable person or persons as collector of the said fines in cases where the constable of the township shall neglect or refuse to collect the same, or where there is no constable appointed; and in that case, the person or persons so appointed, and accepting of such appointment, shall be entitled to the same compensation and vested with the same powers as a constable, and liable to the same fines and forfeitures as a constable is liable to for neglect of duty.

Empowered to appoint a collector of the fines, in case the constable of the township neglect or refuse to collect them.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the ninth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXVII.

An ACT to authorize Robert Kennedy, his heirs and assigns, to dig and support a mill race, in, and adjacent to the river Schuylkill, near its falls.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert Kennedy of the township of the Northern Liberties, in the county of Philadelphia, innkeeper, his heirs and assigns, be, and they are hereby authorized to dig, continue, support and keep in repair a mill-race on and contiguous to the tract of land now held by him on the north-east side of the falls of Schuylkill, to extend not more than two perches into the said river, and to keep the same in good repair for ever, and to lead

Robert Kennedy authorized to dig and support a mill race on and contiguous to the land now held by him on the north-east side of the falls of Schuylkill, to extend not more than two perches into said river and lead off the water necessary for a grist and saw mill, &c.

Conditions  
annexed to  
the grant.

To erect and  
forever keep  
in repair a  
lock, at the  
said falls, for  
the passage  
of boats &c.

Proceedings  
to ascertain  
whether said  
race be made  
in conformi-  
ty to the  
limitations  
and provi-  
sions of this  
act, and to  
punish any  
departure  
therefrom.

off thereby on his own land, so much of the water of the said river as shall be necessary for a grist and saw-mill, or such other machinery as it shall by him be found expedient to establish : *Provided*, That the said Robert Kennedy, his heirs and assigns, shall not obstruct the navigation of the said river, or prevent the fish from passing up the same, nor in any degree interfere with any private property on the said river : *And provided*, That the said Robert Kennedy, his heirs and assigns, at his or their own proper expence, shall fill up the interstices so as to prevent the water from passing between the rocks at the said falls, except in the channel that is now used for the purposes of navigation, which shall be left open and free for boats to pass as heretofore : *And provided also*, That the said Robert Kennedy, his heirs and assigns shall cut through the rock, erect and forever keep in repair a good and sufficient lock, at his or their own proper expence, at the said falls, for the safe and convenient passage of all boats using the navigation of the said river, and shall attend the same for the purpose of opening the gates of the said lock at all times that boats may pass through the same, with as little interruption as the nature of that kind of navigation will admit : *And Provided also*, That if at any time hereafter the corporation of the city of Philadelphia, shall be desirous of erecting any works or machinery for the purpose of conducting the waters of the said river to the said city, the right so to erect is hereby reserved ; but if by such erection the works of the said Robert Kennedy, shall be materially injured or destroyed, the said corporation shall be liable to pay the whole of the reasonable expences incurred by the said Robert, together with twenty per centum thereon, for his trouble and disappointment, on due conveyances being made for the whole of his right in the premises.

SECT. II. *And be it further enacted by the authority aforesaid*, That on the complaint of any person or persons to the judges of the court of quarter sessions of Philadelphia county, it shall and may be lawful for the said judges to appoint three commissioners to view the said race, and report to them at their next sessions, the state thereof, and whether it is conformable to the limitations and provisions of this act ; which report on oath or affirmation if it contain an offence against this act, shall be a sufficient ground for the court to direct a bill of indictment to be sent to the grand jury, against the said Robert Kennedy, his heirs or assigns ; and upon prosecution to conviction, he or either of them, for every such offence shall be liable to pay a fine of not more than two hundred dollars, nor less than one hundred dollars, at the discretion of the court, who shall order so much of the said race to be abated and altered by the supervisors of the highways of the said township, as shall bring the same within the limitations and provisions of this act, at the cost of the person or persons so convicted.

**SECT. III.** *And be it further enacted by the authority aforesaid,* That if the said Robert Kennedy, his heirs or assigns, shall refuse or neglect to attend to, and open the gates of the said lock, according to the directions of this act, he or they shall for the first offence forfeit and pay ten dollars, and for each and every subsequent offence, twenty dollars, to be recovered in the same manner as debts of a similar amount are or may be recoverable; and appropriated, one moiety to the repair of roads within the said township, the other moiety for the use of the person who shall sue for the same. Penalty on neglecting to open the gates of the lock for the passage of boats. How to be recovered and appropriated.

**SECT. IV.** *And be it further enacted by the authority aforesaid,* That the said Robert Kennedy, his heirs and assigns are hereby authorized to demand and receive from the master, owner or supercargo of any and every boat passing through the said lock, thirty-three cents; to be paid before such boat passes through the same. Toll allowed for passing through said lock.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the ninth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXVIII.

*An ACT to raise by way of lottery, a sum of money to defray the expence of completing a church in Stoys-town, and for building a bridge over the Quemahoning creek, on the road leading from Stoys-town to Ebensburgh.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That George Graham, Henry Fisher, Joseph Boisle, Henry Beaner, Michael Zimmerman, Michael Mourey, John Forry, Charles Boyle, and John Lehmer, be, and they are hereby appointed commissioners to raise by way of lottery, the sum of one thousand dollars, to be applied to defraying the expences of completing a church in Stoys-town, in Somerset county; and for building a bridge over the Quemahoning creek where the road crosses, leading from Stoys-town to Ebensburgh in such manner as a majority of the commissioners may deem most beneficial. Commissioners of the lottery. Sum to be raised and how applied.

**SECT. II.** *And be it further enacted by the authority aforesaid,* That the commissioners before they proceed to sell any tickets in the said lottery, shall lay such scheme thereof before the Governor, as shall meet his approbation, and enter into bonds to him Commissioners to lay the scheme before the governor and other duties of the commissioners.

- for the due performance of their duty in drawing the same, and each of them before entering on the duties of his appointment shall take and subscribe an oath of affirmation diligently and faithfully to perform the duties hereby entrusted to him and a majority of the said Commissioners shall attend at the drawing of each day, and when the drawing shall be completed, they shall cause an accurate list of the fortunate numbers to be published in the newspapers printed in Somerset and Bedford three times, and shall pay and discharge all the prizes that shall be demanded by persons legally entitled thereto, within three months after the drawing shall be finished, and the expences necessarily attending the carrying of this act into effect, shall be paid by the commissioners, out of the nett proceeds of the said lottery.

Authorized  
to settle and  
pay debts  
contracted  
under this  
act.

SECT. III. *And be it further enacted by the authority aforesaid,* That the said commissioners be, and they are hereby authorized to settle and adjust all accounts which may be exhibited by any person or persons legally employed in carrying this act into effect.

Within what  
time prizes  
are to be de-  
manded.

SECT. IV. *And be it further enacted by the authority aforesaid,* That all prizes not demanded within twelve months after publication as aforesaid, shall be considered as relinquished for the benefit of the church and bridge.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the ninth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXIX.

*An ACT to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna, at the Borough of Wilkes-Barre, in the county of Luzerne.*

Commissioners appointed to open books to receive subscriptions to the Company for erecting a bridge over the river Susquehanna, at the borough of Wilkes-Barre.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Lord Butler and Lawrence Meyer, of the county of Luzerne; Samuel Sitgreaves, Daniel Waggoner, of the borough of Easton; and John B. Wallace and Thomas Allibone, of the city of Philadelphia; be, and they are hereby appointed commissioners to do and perform the several duties hereinafter mentioned; *that is to say,* they shall and may, on or before the first day of May, in the year of our Lord one thousand eight hundred and twelve, procure three books, and therein enter as follows; "We

whose names are hereunto subscribed, do promise to pay unto the president, managers and company, for erecting a bridge over the river Susquehanna, at the borough of Wilkes-Barree, the sum of fifty dollars for every share of stock in the said company, set opposite to our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers, in pursuance of an act of the General Assembly, entitled "An act to authorize the Governor to incorporate a company for erecting a bridge over the river Susquehanna at the borough of Wilkes-Barree, in the county of Luzerne;" Witness our hands the                      day of

Form of subscription.

in the year of our Lord one thousand eight hundred and " and thereupon shall give notice in one of the public newspapers printed at Philadelphia, one printed in the borough of Easton, and one printed in the borough of Wilkes-Barree, for one calender month at least, of the times and places in the city of Philadelphia, in the borough Easton, and in the borough of Wilkes-Barree, when and where the said books shall be opened to receive subscriptions for the stock of said company, at which respective times and places some one of the said commissioners shall attend, and shall permit all persons who shall offer to subscribe in the said books, which shall for that purpose be kept open at least six hours in every juridical day, for the space of at least three juridical days, if three days be necessary, and in any of the said juridical days within the hours aforesaid, any person of the age of twenty-one years shall have liberty to subscribe in his own name, or in the name or names of any other person or persons by whom he shall be authorized, for one share, on the second day for one or two shares, and on the third day for one, two or three shares, and on any succeeding day while the said books shall remain open, for any number of shares in said stock; and if at the expiration of the said three first days, the said books opened at Philadelphia, shall not have subscribed one hundred and fifty shares therein, or the book at Easton shall not have one hundred and fifty shares subscribed therein, or the book opened at Wilkes-Barree shall not have three hundred shares subscribed therein, the said commissioners respectively may adjourn from time to time, until the said number of shares shall be subscribed, of which adjournment public notice shall be given at each place, and when the said subscriptions in the said books shall amount to the respective numbers aforesaid, the same shall be closed; and if before the said subscription shall be declared to be full, application shall be made to subscribe more shares than will fill the said books, or either of them, then the said commissioners respectively shall apportion the whole number of shares, at such respective place among all those who shall have subscribed, or offer to subscribe as aforesaid on that day at such place, by deducting from the

Notice to be given of the times and places of subscription.

For what time the books are to be kept open.

Who may subscribe and for what number of shares.

Of the adjournment of the commissioners, and notice of such adjournment.

Of apportioning the shares.

Of transferring the books from one place to another.

Subscribers to pay a deposit of ten dollars on each share subscribed.

Proceedings to obtain a charter of incorporation.

Style of the corporation.

Its privileges and powers.

subscribers of more shares than one, such proportion of the shares by them respectively subscribed, as will leave every person one or more shares; but if after any one of the said books shall have been opened at any one of the respective places aforesaid, for the space of three calendar months, the whole number of shares to the said places herein before respectively allotted, shall not have been subscribed, the said book or books may be respectively transferred to any of the said places, and there kept open as aforesaid, until the said subscription shall be full as aforesaid, public notice being given thereof, at the places whence and whereto the said books shall be respectively transferred: *Provided always*, That every person offering to subscribe in the said books, in his own name, or in any other name, shall previously pay to the attending commissioner or commissioners taking such subscription, ten dollars on each share to be subscribed, which money shall go to defray the expence of the commissioner or commissioners; and the residue thereof, if any there should be, shall be paid over to the treasure of the corporation, as soon as the same shall be organized, and the officers chosen as hereafter mentioned.

SECT. II. *And be it further enacted by the authority aforesaid*, That when twenty-five persons shall have subscribed one hundred shares in the said books, the said commissioners, respectively may, and when the whole number of shares shall be subscribed, shall certify under their hands and seals, the names of the subscribers, and the number of shares subscribed by, or apportioned to each subscriber, to the Governor, and thereupon it shall be lawful for the Governor by letters patent under his hand and the seal of the state, to erect and create the subscribers, and if the said subscription be not full at the time, then those who shall afterwards subscribe, to the numbers aforesaid, into one body politic and corporate, in deed and in law, by the name, style, and title of "The President, Managers and Company, for erecting a bridge over the river Susquehanna at the borough of Wilkes-Barree;" and by the said name the said subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation; and shall be capable of taking and holding their said capital stock, and the increase of the profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, and if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing, taking and holding to them and their successors and assigns, in fee simple or for any less estate, real and personal, as shall be necessary and convenient to them, in the prosecution of their works, and the same to sell and dispose of at their pleasure, and of suing and of being sued, and of doing all and every other thing and matter which a corporation or body politic may lawfully do.

SECT. III. *And be it further enacted by the authority aforesaid,*

That the six persons first named in the letters patent, as soon as conveniently may be, after sealing the same, shall give notice in two or more of the public newspapers in the city of Philadelphia, one whereof shall be in the German language, in one of the public newspapers in Easton, and also in the public newspaper of Wilkes-Barree, of a time and place by them to be appointed, not less than thirty days from the time of issuing the first notice, at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes of the said subscribers by ballot, to be delivered in person or by proxy duly authorized, one president, six managers, one treasurer, and such other officers as they shall think necessary to conduct the business of said company for one year, and until such other officers shall be chosen, and may make such bye-laws, rules, orders and regulations not inconsistent with the laws and constitution of this state, or those of the United States, as shall be necessary for the well ordering the affairs of said company; and generally to have all the powers, authorities and privileges necessary for carrying on and completing, maintaining and keeping in repair the said bridge, and for fixing the rates of tolls and collecting the same, and be subject to all the duties, qualifications, restrictions, penalties, fines and forfeitures which are given and granted, or imposed upon the president, managers and company incorporated, to erect a bridge over the river Delaware at the borough of Easton in the county of Northampton, in virtue of an act of Assembly, passed on the thirteenth day of March, anno Domini one thousand seven hundred and ninety-five.

The six first named commissioners to notify the subscribers to meet for the purpose of organizing the corporation.

Officers to be chosen, &c.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the ninth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

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## CHAPTER CXX.

*A further SUPPLEMENT to an act, entitled "An act for offering compensation to the Pennsylvania claimants of certain lands in the Seventeen townships, in the county of Luzerne, and for other purposes therein mentioned."*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*



Pennsylvania claimants &c. may release their claims to the commonwealth and transmit them to the Secretary of the land-office by the 1st. of August, 1807.

That all Pennsylvania claimants, claiming lands within the Fifteen townships, in the county of Luzerne, whether from titles prior to the decree of Trenton, or from titles acquired by warrant and survey, prior to the twenty-eighth of March, one thousand seven hundred and eighty-seven, under the act of the fifth of April, one thousand seven hundred and eighty-four, entitled "An act for opening the land-office, for granting and disposing of the unappropriated lands within this state; or under the act of the twenty-fifth of December, one thousand seven hundred and eighty-four, entitled "An act to alter and amend an act of Assembly, entitled "An act for opening the land-office, for granting and disposing of the unappropriated lands within this state," may release their several claims to this Commonwealth, and transmit the same to the secretary of the land-office, by the first day of August next; and all the Connecticut Claimants, claiming lands in said townships, may apply and transmit their applications to the secretary of the land-office, on or before the first day of October next, as in a manner used heretofore under the act of the fourth of April, one thousand seven hundred and ninety-nine, entitled "An act for offering compensation to the Pennsylvania claimants of certain lands within the Seventeen townships, in the county of Luzerne, and for other purposes therein mentioned;" and shall be entitled to all the privileges, and have and receive all the benefits of said act, and of the several supplements thereto.

Within what time Connecticut claimants are to apply and transmit their application, to the Secretary of the land-office.

Of the privileges and benefits to which they are to be entitled.

How the commissioners are to be governed, in examining the claims submitted to them.

SECT. II. *And be it further enacted by the authority aforesaid,* That the commissioners under the aforesaid act of the fourth of April, and the supplements thereto, in examining the claims of the Connecticut claimants already submitted, or those which may hereafter be submitted to lands within the said fifteen townships, shall not require the same lands to have been occupied prior to the decree of Trenton, but the same lands to the several applicants certify; if under the rules and regulations of the Susquehanna company at any time they should otherwise thereto be entitled.

A certain tract of land granted to the town of Wilkesbarre as a public common.

SECT. III. *And be it further enacted by the authority aforesaid,* That all that certain tract of land fronting the town-lots in the borough of Wilkes-Barre, on the bank of the Susquehanna, extending from the land of Jabez Fish, up the said river, one hundred and ninety-two rods, in a line parallel with the front line of the town-lots, be and the same hereby is granted and set apart as a public common, and to remain as such for ever.

Commissioners to cause a survey to be made of certain town lots, in the township of Newport.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the commissioners shall cause a new survey to be made of the first division of lots in the first tier of land, in the township of Newport, being one of the aforesaid fifteen townships, according to a survey of the same lots, made by William

Montgomery, jun. under the authority of the state, in the year one thousand seven hundred and eighty-seven, and the same transmit to the land office ; and the secretary thereof in issuing patents to the Connecticut claimants for such lots, in virtue of any certificates from said commissioners, shall issue them in conformity to said new survey ; and the said Connecticut claimants shall hold their land accordingly.

Patents for which are to issue in conformity with said survey.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the ninth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

CHAPTER CXXI.

An ACT to authorize the Governor to incorporate a company, for erecting a bridge over the river Susquehanna, at the Falls of Nescopeck in the county of Luzerne.

WHEREAS it has been represented to the General Assembly, by a number of the inhabitants of this Commonwealth, that the erecting a good and permanent bridge across the river Susquehanna, at the falls of Nescopeck in the county of Luzerne, would greatly contribute to facilitate the intercourse between the interior of this state, and the metropolis, and essentially promote the general interest thereof: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Anthony Morris, Samuel Mifflin, Doctor Benjamin Say, of the city of Philadelphia; Daniel Waggoner, William Henry and George Savitz, of Northampton county; George K. Hanison, John Brown and Abraham Miller, of Northumberland county be, and are hereby appointed commissioners, to do and perform the several duties hereinafter mentioned, that is to say, they shall and may, on or before the first day of June next, procure at least three books, and therein enter as follows; “ We whose names are hereunto subscribed, do promise to pay to the President, managers and company, for erecting a bridge over the river Susquehanna at the falls of Nescopeck, the sum of one hundred dollars for every share of stock in said company, set opposite to our respective names, in such manner and proportions and at such times as shall be determined by the President and Managers, in pursuance of an act of the General Assembly, entitled “ An act to authorize the Governor to incorporate a com-

Commissioners to receive subscriptions.

Form of subscription.

pany, for erecting a bridge over the river Susquehanna at the falls of Nescopeck, in the county of Luzerne." Witness our hands the                      day of                      one thousand eight hundred and

Notice to be given of the time and place of receiving subscriptions.

How long the books are to be kept open, &c.

In case of an excess of subscriptions, the shares to be apportioned.

Of transferring the books from one place to another.

and shall thereupon give notice in two newspapers printed at Philadelphia, one whereof shall be in the German language, in one printed at Easton, in one printed at Northumberland or Wilkesbarre, for one calendar month at least, of the times and places in the city of Philadelphia, towns of Nescopeck and Berwick, borough of Easton, Bethlehem and Allentown, when and where the said books shall be opened to receive subscriptions for the stock of the said company, at which respective times and places some one of the said commissioners shall attend, and shall permit all persons who shall offer to subscribe in the said books, which shall for that purpose be kept open at least six hours in every juridical day, for the space of at least three juridical days, if three days shall be necessary, and in any of the said juridical days within the hours aforesaid, any person of the age of twenty-one years, shall have liberty to subscribe in his own name, or in the name or names of any person or persons by whom he shall be authorized, for one share, on the second day for one or two shares, on the third day for one, two or three shares and on any succeeding day while the said books shall remain open, for any number of shares in the said stock; and if at the expiration of the said three first days, the said book opened at Philadelphia, shall not have three hundred shares therein subscribed, or the book or books opened at Easton, Bethelhem and Allentown, shall not have one hundred shares therein subscribed, or the book or books opened at Berwick and Nescopeck, shall not have one hundred shares therein subscribed, the said commissioners respectively, may adjourn from time to time until the said number of shares shall be subscribed, of which adjournment public notice shall be given at each place; and when the said subscription in said books shall amount to the respective numbers aforesaid, the same shall be respectively closed; and if before the said subscription shall be declared to be full, applications shall be made to subscribe more shares than will fill said books, or either of them, then the said commissioners respectively, shall apportion the whole number of shares, at such respective place among all those who shall have subscribed, or offered to subscribe as aforesaid on that day at such place, by deducting from the subscribers of more shares than one, such proportion of the shares by them respectively subscribed, as will leave every person one or more shares; but if after any of the said books shall have been opened at any of the respective places aforesaid, for the space of three calendar months, the whole number of shares to the said places hereinbefore respectively allotted, shall not have been subscribed, the said book or books may be respectively

transferred to any other of the said places, and there kept open as aforesaid, until the said subscriptions shall be full as aforesaid, public notice being given thereof, at the places whence and whereto, the said book or books shall be respectively transferred: *Provided always*, That every person offering to subscribe in the said books, in his own name or any other name, shall previously pay to the attending commissioner or commissioners ten dollars for every share to be subscribed, out of which shall be defrayed the expences attending taking of such subscriptions, and other incidental charges, and the remainder shall be paid over to the treasurer of the corporation as soon as the same shall be organized and the officers chosen as hereinafter mentioned.

Sum to be paid at the time of subscribing.

SECT. II. *And be it further enacted by the authority aforesaid*, That when twenty-five persons or more shall have subscribed one hundred shares in the said stock, the said commissioners, respectively may, and when the whole number of shares shall be subscribed, shall certify under their hands and seals the names of the subscribers and the number of shares subscribed by or apportioned to each subscriber, to the Governor, and thereupon it shall and may be lawful for the Governor, by letters patent under his hand and the seal of the state, to create and erect the subscribers; and if the subscription be not full at the time, then also those who shall afterwards subscribe to the numbers aforesaid, into one body politic and corporate, in deed and in law, by the name, style and title, of "The President, Managers and Company, for erecting a Bridge over the river Susquehanna, at the falls of Nes-copeck;" and by the said name, the said subscribers shall have perpetual succession, and all privileges and franchises incident to a corporation, and shall be capable of taking and holding their said capital stock, and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing, taking and holding, to them and their successors and assigns, in fee-simple or for any less estate, all such lands, tenements, hereditaments, estate real and personal, as shall be necessary and convenient to them in the prosecution of their works, and the same to sell and dispose of at their pleasure, and of suing and being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do.

Proceedings to obtain letters of incorporation.

Style of the corporation. Its privileges and powers.

SECT. III. *And be it further enacted by the authority aforesaid* That the six persons first named in the said letters patent, shall, as soon as conveniently may be after sealing the same, give notice in two or more of the public newspapers in Philadelphia, one whereof shall be in the German language, and also in the public newspaper of Easton, and in one or more of the public

Notice to be given to the subscribers to meet and organize the company.

Officers to  
be chosen.

Number of  
votes limited.

Annual  
meetings of  
the stock-  
holders.

Certificates  
of shares to  
be issued to  
subscribers.

Which shall  
be transfer-  
able, &c.

Of the meet-  
ings of the  
President  
and mana-  
gers and bu-

newspapers of Northumberland or Luzerne counties, of a time and place by them to be appointed, not less than thirty days from the time of issuing the first notice, at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes of the said subscribers, by ballot, to be delivered in person, or by proxy duly authorized, one president, six managers, one treasurer, and such other officers as they shall think necessary to conduct the business of the said company for one year, and until other officers shall be chosen; and may make such bye-laws, rules, orders and regulations, not inconsistent with the laws of this Commonwealth, as shall be necessary for the well-ordering the affairs of the said company: *Provided always*, That no person shall have more than twenty votes at any election, or in determining any question arising at such meetings, whatever number of shares he may be entitled to, and that each person shall be entitled to one vote for every share by him held under the said number.

SECT. IV. *And be it further enacted by the authority aforesaid*, That the said stockholders shall meet on the first Monday in May in every succeeding year, in such place as shall be fixed by the rules and orders of the said company, to be made as aforesaid; for the purpose of choosing such officers as aforesaid, for the ensuing year.

SECT. V. *And be it further enacted by the authority aforesaid*, That the president and managers first to be chosen as aforesaid, shall procure certificates to be written or printed, for all the shares of stock of the said company, and shall deliver one such certificate signed by the president and countersigned by the treasurer, and sealed with the seal of the corporation, to each person for every share by him subscribed and held, he paying to the treasurer in part of the sum due thereon, the sum of twenty dollars, for each share; which certificate shall be transferable at his pleasure, in person or by attorney, in presence of the president or treasurer, subject however to the payments due and that may grow due thereon, and the assignee holding any certificate having first caused the assignment to be entered in a book of the company to be kept for the purpose, shall be a member of the corporation, and for every certificate by him held shall be entitled to one share of the capital stock, and of all the estates and emoluments of the company, and to vote as aforesaid at the meetings thereof.

SECT. VI. *And be it further enacted by the authority aforesaid*, That the said president and managers, shall meet at such times and places, and be convened in such manner as shall be agreed on for transacting their business; at such meetings five members shall be a quorum, who in the absence of the president

may choose a chairman; and shall keep minutes of all their transactions fairly entered into a book, and a quorum being met they shall have full power and authority to agree with, and appoint such engineers, superintendants, artists and other officers as they shall think necessary to carry on the said bridge; and to fix their salaries and other wages, to ascertain the times, manner and proportions in which the stockholders shall pay the money due on their respective shares, in order to carry on their work, to draw orders on the treasury for all monies, to pay the salaries of persons by them employed, and for the materials and labour done and provided; which shall be signed by the president or in his absence by a majority of a quorum, and countersigned by their clerk, and to do and transact all other such acts, matters and things, as by the bye-laws, orders and regulations of the company shall be committed to them.

SECT. VII. *And be it further enacted by the authority aforesaid,* That if any stockholder after thirty days notice in some one or more of the public newspapers printed at Philadelphia, Easton, Northumberland or Luzerne counties respectively, of the time and place appointed for the payment of any proportion or dividend of the said capital stock, shall neglect to pay such proportion at the time appointed, for the space of forty days after the time so appointed, every such stockholder or his assignee, shall in addition to the dividend so called for, pay at the rate of five per centum per month for every delay of such payment, and if the same and the said additional penalties shall remain unpaid for such space of time, that the accumulated penalties shall become equal to the sums before paid on account of such shares, the same shall be forfeited to the said company, and may and shall be sold by them to any other person or persons willing to purchase, for such price as can be obtained therefor.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for the president and managers aforesaid, their superintendants, engineers and artists of every kind, to enter into and upon all the lands, tenements and inclosures near to the place where the said bridge is to be built, and take all the stones convenient in the fish dams and to examine the ground for the purpose of opening quarries of stones, and obtaining gravel, sand or other materials necessary for building the said bridge; and that it shall and may be lawful for the said managers, overseers, superintendants, or any other person employed in building the said bridge, to enter with wagons, carts, sleds or sleighs, or beasts of burden or draught of any kind whatsoever, first giving notice to the owners, doing as little damage as possible, and repairing any breaches or offences they may have occasion to make, and first making amends for any damages that may be done, which damages shall be ascer-

business to be transacted at such meetings.

Penalty on stockholders neglecting to pay their proportions of the capital stock.

The President &c. authorized to enter on adjoining lands, to take materials for the bridge.

How the damage

done there-  
by to indi-  
viduals is to  
be ascertained.

tained by the parties if they can agree, or if they cannot agree, then by appraisement to be made as hereinafter directed, upon oath or affirmation, by three indifferent freeholders, or any two of them, to be mutually chosen, or if the owners or the said managers, superintendants, engineers or artists, upon due notice, shall neglect or refuse to join in the choice, then the said freeholders to be appointed by any justice of the peace of the county not interested on either side; and the said managers or other persons employed by them as aforesaid, after tender of the appraised value to the owner, may enter and dig, take and carry away any stone, gravel, sand or earth most conveniently situated for making and repairing the said bridge.

The Presi-  
dent and  
managers to  
keep ac-  
counts of all  
monies re-  
ceived, &c.

SECT. IX. *And be it further enacted by the authority aforesaid,* That the president and managers of the said company shall keep fair and just accounts of all monies received by them from the said commissioners, and from the subscribers to the said undertaking, and of all penalties for delay in the payment thereof, and of the amounts of the profits or shares that may be forfeited as aforesaid, and of all voluntary contributions, and also of all monies by them expended in the prosecution of the said

And submit  
such ac-  
counts annu-  
ally to the  
stock-  
holders.

work; and shall at least once in every year submit such accounts to a general meeting of the stockholders until the said bridge be completed, and until all the costs, charges and expences for effecting the same shall be fully paid and discharged, and the aggregate amount of all such expences shall be liquidated and ascertained; and if upon such liquidation, or whenever the whole capital stock of the company shall be nearly expended, it shall be found that the said capital stock is not sufficient to complete the said bridge according to the true intent and meaning of this act, it shall and may be lawful for the said president, managers and company, at a stated or special meeting to be convened according to the provisions of this act, or their own bye-laws, to increase the number of shares to such extent as shall be deemed sufficient to accomplish the work, and to demand and receive the monies subscribed for such shares, in like manner, and under the like penalties as are herein before provided for the original subscriptions.

And if the  
capital stock  
be found in-  
sufficient to  
complete the  
bridge, the  
number of  
shares may  
be increas-  
ed.

SECT. X. *And be it further enacted by the authority aforesaid,*

When the  
bridge is  
completed it  
shall be vest-  
ed in the  
company.  
Tolls that  
may be de-  
manded.

That when a good and complete bridge is erected over the said river Susquehanna at the place aforesaid; the property of the said bridge shall be vested in the said company as aforesaid, their successors and assigns for ever; and the said company, their successors and assigns may demand and receive toll from travellers and others agreeably to the following rates: viz. for every coach, landau, chariot, phaeton, or other pleasurable carriage with four wheels, drawn by four horses, the sum of one hundred and twenty cents, and for the same carriages with two horses, the

sum of sixty cents; for every waggon with four horses, the sum of eighty cents; and for every carriage of the same description drawn by two horses the sum of fifty cents; for every chaise, riding-chair, sulkey, cart, or other two-wheel carriage, or a sleigh or sled with two horses, the sum of thirty-five cents; and for the same with one horse the sum of twenty-five cents; for a single horse and rider, the sum of twelve and a half cents; for every led horse or mule, the sum of six cents; for every foot-passenger, the sum of two cents; for every head of horned cattle the sum of two cents; for every sheep or swine, the sum of one cent: *Provided always*, That the said bridge shall in no-wise injure, stop or interrupt the navigation of the said river, or prevent boats from crossing, or persons from fording the said river.

*Proviso*  
against in-  
juring the  
navigation of  
the river.

SECT. XI. *And be it further enacted by the authority aforesaid*, That in fixing the toll of all carriages to be drawn wholly by oxen, or partly by horses and partly by oxen, two oxen shall be estimated equal to one horse.

In estima-  
ting the toll,  
two oxen to  
be rated as  
one horse.

SECT. XII. *And be it further enacted by the authority aforesaid*, That if the said company, their successors and assigns, and whoever shall own or possess the said bridge, shall collect or demand any greater rates or prices for the passing over the said bridge, than what is herein-before prescribed and specified, or shall neglect to keep the said bridge in good repair, he, she or they so offending, shall for every such offence, forfeit and pay the sum of twenty-five dollars; one moiety thereof for the use of the poor of the town of Berwick and the town of Nescopeck, equally to be divided, and the other moiety for the use of the person who may sue for the same: *Provided always*, That no suit or action shall be brought, unless within thirty days after such offence shall have been committed.

Penalty on  
exactng  
more than  
the legal  
tolls.

SECT. XIII. *And be it further enacted by the authority aforesaid*, That the said president, managers and company shall also keep a just and true account of all and every the monies received by their several and respective collectors of tolls for crossing the said bridge, and shall make and declare a dividend of the profits and income thereof among all the subscribers to the said company's stock, deducting first therefrom all contingent costs and charges, and such proportion of the said income as may be deemed necessary for a growing fund to provide against the decay, and for the rebuilding and repairing of the said bridge; and shall on every first Monday in April and October of every year, publish the dividend to be made of the said clear profits thereof, amongst the stockholders and of the time and place where and when the same shall be paid, and shall cause the same to be paid accordingly.

The compa-  
ny to keep  
an account  
of the tolls  
received.

And make a  
dividend of  
the profits :

And publish  
the same  
half-yearly.



When the  
tolls may be  
increased ;

SECT. XIV. *And be it further enacted by the authority aforesaid,* That the said president and managers shall at the end of every third year from the date of the incorporation, until two years next after the bridge aforesaid shall be completed, lay before the General Assembly of this Commonwealth an abstract of their accounts, shewing the whole of the capital expended in the prosecution of the said work, and of the income and profits arising from the said toll, for and during the said respective period, together with an exact account of the costs and charges of keeping the said bridge in repair, and all other contingent costs and charges, to the end that the clear annual income and profits thereof may be ascertained and known; and if at the end of two years after the said bridge shall be completed it shall appear from the average profits of the said two years that ~~the said~~ clear income and profits thereof, will not bear a dividend of six per centum on the whole capital stock of the said company so expended, then it shall and may be lawful for the said president, managers and company to increase the tolls herein allowed, so much upon each and every allowance thereof as will raise the dividends to six per centum per annum; and at the end of every ten years after the bridge shall be completed, they shall render to the General Assembly, a like abstract of their accounts for three preceding years; and if at the end of such decennial period it shall appear from such abstract that the clear profits and income of the said company will bear a dividend of more than fifteen per cent per annum, then the said tolls shall be so reduced as will reduce the said dividend to fifteen per centum per annum.

when reduced.

Within what  
period the  
bridge is to  
be begun  
and completed.

SECT. XV. *And be it further enacted by the authority aforesaid,* That if the said company shall not proceed to carry on the said work within the space of three years after they shall have been incorporated, or shall not within the space of ten years from the passing of this act, complete the said bridge, it shall and may be lawful for the legislature to resume all and singular the rights, liberties and privileges hereby granted to the said company.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the ninth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXXII.

*An ACT for the regulation of the Militia of the Commonwealth of Pennsylvania.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

That the territory of this Commonwealth be and is hereby divided into division-bounds as follow, *to wit*: The city and county of Philadelphia shall form the first division; the counties of Bucks and Montgomery the second; the counties of Chester and Delaware the third; the county of Lancaster the fourth; the counties of York and Adams the fifth; the counties of Berks and Dauphin the sixth; the counties of Cumberland and Franklin the seventh; the counties of Northampton and Wayne the eighth; the counties of Northumberland and Luzerne the ninth; the counties of Lycoming, Tioga, Potter, Jefferson, McKean and Clearfield the tenth; the counties of Mifflin, Huntingdon and Centre the eleventh; the counties of Bedford, Somerset and Cambria the twelfth; the counties of Westmoreland and Fayette the thirteenth; the counties of Washington and Greene the fourteenth; the counties of Allegheny, Armstrong and Indiana the fifteenth; the counties of Beaver, Butler, Mercer, Crawford, Erie, Venango and Warren, the sixteenth division: the city of Philadelphia shall form one brigade, and each division shall be composed of two brigades; and when by increase of population or other causes the number of men in any of the regiments becomes too large, or greatly disproportionate, it shall and may be lawful for the brigadier-general and brigade-inspector with the commanding officers of the regiments in each brigade, or a majority of them, to cause new arrangements to be made in the regiments and battalions, and to equalize the same as nearly as may be, or to form additional regiments or battalions, if in their opinion the same be necessary: *Provided*, That no regiment shall consist of more than one thousand, nor less than five hundred men, and the battalions in the same proportions; and when from the increase of population or other causes the number of men in any of the companies of a regiment shall become greatly disproportionate to the number of men in other companies, the field-officers of such regiment, are hereby authorized to make such arrangements and distributions of the men as in their discretion shall be convenient and proper, in order to equalize the number of men in the several companies, or to form additional companies, if in their opinion the same be necessary.

The state divided into division bounds.

The city of Philadelphia to form one, and each division two brigades. When the regiments and battalions may be equalized.

How many men a regiment may contain.

SECT. II. *And be it further enacted by the authority aforesaid,* That each and every free, able-bodied white male citizen of this

Description of the per-

sons to be enrolled in the militia, and by whom.

or any other of the United States, and every other free able-bodied white male person who has been resident in this Commonwealth for six months previous to the time of his enrolment, who is or shall be of the age of eighteen years, and under the age of forty-five years, except as is hereinafter excepted, shall be enrolled in the militia by the captain or commanding officer of the company within whose bounds such citizen or other person as above described shall reside, and it shall at all times hereafter be the duty of such captain or commanding officer to enrol, or cause to be enrolled, every such citizen or other person resident as aforesaid; and also those who shall from time to time arrive at the age of eighteen years, or being of the age of eighteen years and under the age of forty-five years, or become resident as aforesaid and not excepted by this act, shall come to reside within his bounds, noting as precisely as possible the particular age of such person enrolled; and in all cases of doubt respecting the age or residence of any person enrolled or intended to be enrolled, the party shall prove his age or residence to the satisfaction of the officers of the company within whose bounds he may reside, or a majority of them: And it shall be the duty of each captain or commanding officer of a company to take or cause to be taken an accurate class-list or roll of all the persons subject to militia duty, who shall have been enrolled by him as aforesaid, noting as precisely as possible the age of each person enrolled, and particularly designating all such persons within the bounds of his company and the ward or township in which they reside, subject to militia duty, who shall desire to be considered as exempts, or persons exempted from training in regiments, battalions or companies, as is directed by this act, but not as persons exempted from the tour of duty when the militia of this state, or any detachment thereof shall be called into actual service; but if any person neglects or refuses to make his choice as aforesaid, the said captain shall place the name of such person on the list of exempts. *Provided always*, That exempts shall enjoy the right of appeal, and have such redress as delinquents have in cases of appeal provided for in the seventeenth section of this act: And in all cases where exempts obtain any exoneration as aforesaid, the amount thereof shall be certified under the hand of the president of the court of appeal, which certificate, when presented to the collector of taxes, shall be received by him as payment of such part of the said exempt's fine as shall be therein expressed: and the commanding officer of each regiment, respectively, shall transmit a list of the names of the officers appointed to hear and determine on appeals for the current year to the county commissioners, on or before the first day of August annually; and the said captain or commanding officer shall, under the penalty of fifty dollars for every such neglect

The party to prove his age and residence where doubts exist.

Each captain to keep a list of all persons enrolled by him, noting thereon the exempts.

Persons neglecting to make their election, shall be placed on the list of exempts; but to have the right to appeal.

Duty of the regimental commander.

Enrolments annual-

or refusal, yearly and every year, on or before the day of regimental review, to be in the month of May, deliver or cause to be delivered, one complete class-list or roll as aforesaid on oath or affirmation to the brigade inspector; and it shall be the duty of the said brigade inspector, within ten days after he shall have received the said lists or rolls as aforesaid, to deliver or safely to transmit to the commissioners of the proper county, and within sixty days thereafter, to the State treasurer and Register general, to each a true and accurate list of the said exempts as aforesaid, returned to him by the captains or commanding officers of the respective companies, under the penalty of twenty dollars for every neglect or refusal thereof, and shall incur a further fine of twenty dollars for every month's delay after the expiration of the said sixty days, to be recovered by the treasurer of the state for the use of the Commonwealth, and thereupon the said county commissioners shall annually fine or charge the persons so returned to them as exempts in their respective duplicates, the sum of four dollars each, over and above the amount of their taxes, keeping the amount of the said fines in a separate and distinct column from the county tax; and it shall be the duty of the said commissioners, under the penalty of five hundred dollars each for every neglect or refusal, to be recovered agreeably to the provisions of the thirty-third section of this act, to direct and cause the said exempt fines to be collected annually, at the same time and in the same manner in which the county tax is directed by law to be collected, except as to the discretion of exoneration invested in the commissioners in other cases, and in like manner to be paid and received in the treasury of the county, and the county treasurers respectively, are hereby directed to keep separate and distinct accounts of all the monies so by them received for exempt fines in pursuance of this act; and the said county treasurers respectively shall settle with the Register general, and pay yearly to the Treasurer of the Commonwealth, such fines from exempts as they shall receive by virtue of this act, under the penalty of two hundred dollars for every such neglect; and the said county treasurers, respectively, shall be allowed in the settlement of their accounts with the officers of the department of accounts, five per cent. on all monies so received and by them paid to the State treasurer as aforesaid; and no person who may hereafter be placed on the list of exempts, shall have the right to appeal to nor be exonerated from the payment of the tax or fine imposed on exempts by any court or tribunal whatever, other than the court of appeals of the proper battalion or regiment, within whose bounds such exempt or exempts resides: And it is hereby declared, that the county commissioners shall not have or exercise any power or authority whatever to exonerate, or make

ly delivered to the brigade inspector on oath or affirmation, who shall transmit to the county commissioners, and the State-treasurer and Register-general respectively a list of the exempts. Proceedings by the commissioners thereon.

Duties and compensation of the county treasurers.

Of the exoneration from payment of fines imposed on exempts.

any allowance or abatement to any exempt or exempts, excepting only in such case in which a certificate of exoneration shall be produced and delivered to such commissioners by any such exempt, under the signature of the president of the proper court of appeals, and any such certificate so produced and delivered to the commissioners of any county, shall be by them preserved in their proper office, and shall be ready to be produced whenever the same may be required; to ascertain the fact and ground of such exoneration or otherwise; and if any head of a family shall hereafter refuse to give an account to any captain or commanding officer, of any inmate or inmates liable to militia duty when legally called upon, residing, boarding or lodging in such family, or occupying any part of the dwelling house, or shall wilfully conceal the name or names of any such inmate or inmates, boarder, lodger or occupier, he or she so offending shall forfeit and pay any sum not exceeding twenty dollars, to be recovered before any justice of the peace, in like manner as debts of the same amount are or may be recoverable by law.

Penalty on house-keepers refusing to give an account of, or concealing from commanding officers, the names of inmates or boarders.

Persons under twenty one years of age not compellable to exercise with the militia, except in certain specified cases.

Who shall be exempt from militia duty.

*Provided always*, That no person who shall be enrolled as aforesaid, shall be called upon to exercise with the militia in regiments, battalions or companies, as is directed by this act, until he shall arrive at the age of twenty-one years; but in case of threatened invasion, actual war or rebellion of this or any of the United States, then the persons enrolled who shall be of the age of eighteen years, and all such persons who are described in this act under the denomination of exempts, shall be called upon to perform their respective tours of duty, in like manner and under the same penalties with the other militia of this state.

SECT. III. *And be it further enacted by the authority aforesaid*, That the Vice-President of the United States, officers judicial and executive of the government of the United States, the Members of both houses of Congress and their respective officers, all custom-house officers with their clerks, all post-officers and stage-drivers who are employed in the care and conveyance of the mail of the United States, all ferrymen employed at any ferry on the post-roads, while they remain such, all inspectors of exports, all pilots, all mariners actually employed in the sea-service of any citizens of the United States, ministers of religion of every denomination, professors and teachers in the university, colleges, academies and schools while they are actually employed as such, judges of the supreme court and of the courts of common pleas, menial servants of ambassadors, ministers and consuls from foreign states, sheriffs, gaolers and keepers of work-houses, shall be, and they severally are exempted from militia duty, notwithstanding their being above the age of eighteen years, and under the age of forty-five years.

SECT. IV. *And be it further enacted by the authority aforesaid*,

That the militia of this Commonwealth shall, within the respective bounds herein mentioned, be arranged into divisions, brigades, regiments, battalions and companies; that each division shall consist of two brigades, and each brigade so to be formed shall consist of not less than four regiments, each regiment of two battalions, each battalion of four companies, exclusive of a flank company, in such manner that no company shall consist of more than one hundred, nor less than sixty-four privates, or as near as may be, having regard to their local situation; there may be attached to each battalion one company of grenadiers, light-infantry or riflemen, which company shall be formed within the bounds of the division; and to each brigade there shall be but one company of artillery, which company shall be furnished with one piece of ordnance at the expence of the state, as soon as they are completely uniformed and equipped, and not more than one troop of horse to a regiment to be formed of volunteers, in their respective brigades, at the discretion of the Governor. One-eleventh part of the infantry within the bounds of any company, shall be permitted to join such troop, and not more, without the consent of the captain or commanding officer of such company; no militia-man, who may join any volunteer company of light-infantry, riflemen, artillery, grenadiers or troop of horse, shall have the privilege of leaving the company or troop he so joined, in order to become a member of another company or troop, without the consent of a majority of the officers commanding that company or troop in which he is enrolled, be first had and obtained; and in cases where any volunteer is desirous to leave the company or troop of which he is a member, he shall make his intentions known to his officers, who shall thereupon take the reasons assigned by such volunteer into consideration; and if the reasons so assigned shall appear satisfactory to a majority of them, the commanding officers of such company or troop shall grant the volunteer so applying, a discharge; and no captain or commanding officer of any volunteer company or troop shall admit any person a member of the company or troop under his command as aforesaid, without the person so applying shews a regular discharge from the company or troop to which he previously belonged; and no volunteer troop of horse or company of grenadiers, artillery, light-infantry or riflemen shall be commissioned, where there are not forty members of such troop or company in complete uniform, agreeably to this act; and if any brigade-inspector shall make a return of any troop or company to the Governor who is not in uniform as aforesaid, in order that commissions may be granted contrary to the intent and meaning of this act, every inspector so offending shall pay a fine of fifty dollars, to be recovered by the lieutenant-colonel of the regiment in whose bounds such a volunteer troop or company shall be, be-

General arrangement of the militia.

Of volunteer companies.

Volunteer companies not to be commissioned, unless forty members are in complete uniform.

fore any justice of the peace of the proper county, and the fine shall be applied to the use of the regiment.

Uniform of  
the militia.

SECT. V. *And be it further enacted by the authority aforesaid,* That the uniform or military dress of the militia of this state shall be as follows, *to wit:* For the infantry, light-infantry and cavalry, a blue coat faced with red, the lining and buttons thereof white; for the artillery, a blue coat faced and lined with red, with yellow buttons; but the uniform of the general officers and of the officers of the staff, shall be blue faced with buff, the regimental staff excepted, whose uniform shall be that of the regiment to which they belong; and the cockade to be worn by the militia of this state shall be blue and red; and every new regiment that shall hereafter be formed, shall be provided with two colours or standards at the expence of the state, to be made agreeably to the models for colours or standards now deposited in the office of the Secretary of the Commonwealth.

Arms and  
accoutre-  
ments of the  
militia.

SECT. VI *And be it further enacted by the authority aforesaid,* That the commissioned officers of infantry, light-infantry, grenadiers and riflemen shall severally, at their own expence, be armed with a sword or hanger; and those of artillery with a sword or hanger, a fusee, bayonet and belt, and cartridge-box to contain at least twelve cartridges; the commissioned officers of the several troops of horse shall furnish themselves with good horses of at least fourteen hands and an half high, and shall be armed with a sword and pair of pistols, the holsters of which shall be covered with bear-skin caps; each light-horseman or dragoon shall furnish himself with a serviceable horse of at least fourteen hands and an half high, a good saddle, bridle, mail-pillion and valise; holsters, and a breast-plate and crupper, a pair of boots and spurs, a pair of pistols, the holsters of which shall be covered with bear-skin caps, a sabre, and cartridge-box to contain at least twelve cartridges for pistols; and every person so enrolled and provided with arms, ammunition and accoutrements required as aforesaid, shall hold the same exempted from all suits, distresses, executions or sales for debt or for the payment of taxes.

How the mi-  
litia shall be  
officered.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the militia shall be officered as follows: To each division one major-general, and two aids-de-camp with the rank of a major; to each brigade one brigadier-general, one brigade-major, one quarter-master of brigade and one brigade-inspector, each with the rank of a major; to each regiment one lieutenant colonel commandant, and to each battalion one major; to each company of infantry, including light-infantry, riflemen and grenadiers, one captain, one lieutenant, one ensign, four sergeants, four corporals, one drummer and one fife or bugler. There shall be a regimental staff, to consist of one adjutant and

one quarter-master, to rank as lieutenant; one pay-master, one surgeon, one chaplain, one surgeon's-mate, one sergeant-major, one quarter-master-sergeant, one drum-major and fife-major; and there shall be to each company of artillery one captain, two lieutenants, four sergeants, four corporals, six gunners, six bombardiers, one drummer and one fifer; and to each troop of horse there shall be one captain, two lieutenants and one cornet, four sergeants, four corporals, one saddler, one farrier and one trumpeter; there shall be one adjutant-general and one quarter-master general, each with the rank of brigadier-general, appointed for the whole militia of Pennsylvania, and the first sergeant of every company shall act as clerk of the company.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the major-generals, adjutant-general and quarter-master-general shall be appointed and commissioned by the Governor; the division officers to be residing within their respective divisions; the major-generals shall appoint their own aids-de-camp; the brigadier-generals their brigade-majors. The field-officers of each regiment shall appoint their respective regimental staffs; the brigadier-generals and brigade-inspectors, lieutenant-colonels, majors, captains, lieutenants, ensigns, sergeants and corporals shall be elected in form and manner hereinafter provided; but no person shall be eligible or hold a commission in the militia, who is not a citizen of this state, or who shall not reside within the brigade, regiment, battalion or company in which he was elected, except the first division, who are hereby authorized to elect their commissioned officers from any part within the bounds of the division; but if any officer removes out of the bounds aforesaid, he shall forfeit his commission. All commissioned officers shall be commissioned during four years, if they shall so long behave themselves well, and shall take rank according to the date of their commissions; and when two or more of the same grade, whose commissions bear an equal date, shall meet on command, then their rank shall be determined by lot, to be drawn by them in the presence of the commanding officer of the detachment; and if any commissioned officer shall remove out of the bounds of the brigade, regiment, battalion or company for which he was elected, his office shall thereby forthwith become vacant.

By whom  
the officers  
shall be ap-  
pointed.

Who may  
not hold a  
commission.

When of-  
fices shall be  
vacated.

Duration of  
commis-  
sions.

SECT. IX. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the adjutant-general to distribute all orders from the Governor, as commander in chief of the militia of the state, to the brigade-inspectors or the several corps when in actual service; to attend all public reviews when the Governor shall review the militia; to obey all orders from him relating to the carrying into execution, and perfecting the system of military discipline established by this act; to furnish

Duties of  
the adjutant-  
general.



each brigade-inspector with one set of blank forms of the different returns that may be required, for which he shall be allowed in the settlement of his accounts, with the officers of the department of accounts, and to explain the principles on which such returns should be made; to receive from the several officers of the different corps throughout the state, returns of the militia under their command, reporting the actual situation of their arms, accoutrements and ammunition, their delinquencies, and every other thing which relates to the general advancement of good order and discipline; all which the several officers of divisions, brigades, regiments, battalions, troops and companies are hereby required to make, in such manner as the Governor shall direct, so that the said adjutant-general may be furnished therewith; from all which returns he shall make a general return of all the militia of the state, and lay the same before the Governor, and transmit a duplicate thereof to the President of the United States. The said adjutant-general, before he enters on the exercise of the duties of his office, shall give bond with two or more sufficient sureties, in the penalty of five thousand dollars, conditioned for the due and faithful performance of the said duties, and shall in full compensation for his services, receive a yearly salary of six hundred dollars; and it shall be the duty of the said adjutant-general, his heirs, executors or administrators, under the penalty of one thousand dollars, to deliver to his successor all the books, papers and documents relating to the duties of his office.

To give  
bond with  
sureties.

His salary.

Duties of  
the brigade-  
inspector.

SECT. X. *And be it further enacted by the authority aforesaid,* That it shall be the duty of each brigade-inspector, at least once in every year, to inspect the arms, ammunition and accoutrements of the militia composing his brigade; to execute all orders which he may receive from the adjutant-general or commander in chief, to superintend the elections of field-officers, to furnish all the necessary blank returns, the form of which shall be prescribed by the adjutant-general, to deliver or cause to be delivered yearly and every year, on or before the first day of April, to each captain or commanding officer of a company, three blank inspection-rolls and three blank class-rolls, for which blank rolls he shall be allowed yearly in full compensation therefor ten dollars for each regiment in his brigade; which several rolls the said captain or commanding officer of a company is hereby directed to fill, and shall, under the penalty of twenty dollars, yearly deliver or cause to be delivered, one of each to the commanding officer of the regiment, one of each to the brigade-inspector, and the other he shall keep filed in his own possession; and the said inspector, when he has received the said returns, shall, within twenty days under the penalty of twenty dollars, make out therefrom three complete brigade-re-

turns, and deliver one to the adjutant-general, one to the brigadier-general and the other to the major-general of the division, and he shall file in his office all returns received by him and a copy of all returns made to his superior officer; and it shall also be the duty of each brigade-inspector, when any class or classes of the militia are called to perform any tour of duty, immediately to notify every officer whose tour of duty it may be, and shall cause each non-commissioned officer and private so called to be notified by a written or printed notice in the following words; "Take notice, That you are hereby required personally, or by sufficient substitute, to appear at \_\_\_\_\_ properly armed and equipped for service, at the hour of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ to march when required. Appeals to be heard at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ Given under my hand the \_\_\_\_\_ day of \_\_\_\_\_ A. D. \_\_\_\_\_ A. B. Captain;" by being delivered to him personally, or left at his house or usual place of abode at least three days before the time of assembling the said militia, by the commanding officer of each company, or by a sergeant or other fit person under his orders, who shall, if required, prove such notice on oath or affirmation, unless the Governor, on a sudden exigency, shall think proper to order any part of the militia into immediate and actual service; in which case, the notice mentioning such special order shall be given for immediate attendance, and any person refusing or neglecting to perform such tour of duty, shall pay a fine of sixteen dollars per month for every such offence; and it shall further be the duty of the brigade-inspector forthwith after the marching of any part of the militia, to call to his assistance two respectable citizens, one of whom shall be a justice of the peace, to sit at the places named in the notices above directed to be served upon every militia-man so called out, and shall there hear and determine all appeals that may be made by the persons thinking themselves aggrieved by any thing done in pursuance of such call; and they are hereby authorized and required to grant such relief to such appellant as to them shall appear just and reasonable, and each of the said reputable citizens, before they enter on the said duties, shall take the following oath or affirmation, viz. "That he will hear and impartially determine on the cases of appeal which may be laid before him agreeably to law, and according to the best of his knowledge;" which oath or affirmation the inspector is hereby empowered to administer, and the justice and citizens shall have and receive from the said inspector, the sum of one dollar each for every day they shall sit on the said appeals, and the said inspector and justice of the peace shall each keep a separate record of the proceedings of such court of appeals; and the said inspector shall, within twenty days after such determination of

Notification of classes of for a tour of duty.

Call of militia on a sudden exigency.

Penalty for not performing a tour of duty.

Appeals how to be heard and decided.

Qualification of the assistants.

Their compensation.

List of delinquents to be delivered to the proper officers, and fines how collected.

Salary of the brigade-inspector, and allowance for contingences.

To give bond, &c.

To render his accounts annually to the Register-general.

Books and vouchers to be delivered up to the successor.

No allowance to be made him for attendance at elections, &c.

Time and manner of electing officers.

appeals, make out and deliver to the State-treasurer, to the Register-general and to the commissioners of the proper county, each, a list of all such delinquents, as well those who have not appealed as those whose appeals shall have been determined against them, with the sums due from each respectively, which sums shall be collected and paid, under the direction of the said commissioners, in the same manner and under the like penalties as fines from exempts are directed to be collected in and by the second section of this act; and each inspector shall receive for his services the yearly salary of thirty dollars for each regiment belonging to his brigade, which he shall attend and inspect, and shall receive such reasonable allowance for expences as he may have incurred, or shall hereafter incur, for providing and repairing drums, fifes, colours, artillery and carriages, as he shall make appear to the officers of the department of accounts to be really necessary; and before he enters upon the duties of his office, he shall give bond with one or more sufficient sureties in the penal sum of two thousand dollars, conditioned for the due and faithful performance of his duties, and for the faithful accounting for and paying over all the monies which shall come to his hands by virtue of this act; and each of the said inspectors shall, once in every twelve months, make out complete accounts of all monies by him received, and of his expenditures, and return the same to the Register-general, or in default thereof, shall forfeit and pay the sum of two thousand dollars. And on the removal or resignation of any of the said inspectors, such inspector, or in case of his death, his executors or administrators shall deliver up to his successor in office, or some other person duly authorized by the Governor to receive the same, all and singular the books, papers and documents belonging to or in use in the said offices, and on refusal thereof, he or they so offending shall forfeit the sum of two thousand dollars, to be recovered by action of debt in any court of record within this state; but from and after the passing of this act, no allowance shall be made in the settlement of the accounts of any brigade-inspector for his attendance at the elections, of any field or other officer, nor for pay to clerks or any other person that he may employ to perform any part of his duty.

SECT. XI. *And be it further enacted by the authority aforesaid,* That the elections of such officers as are by this act declared to be elective, shall be made as follows: The several brigade-inspectors shall, between the first day of May and the first day of August, in the year one thousand eight hundred and seven, and every fourth year thereafter, give notice by advertisements at eight or more of the most public places of each regiment or battalion bounds or district, appointing a certain day, which

shall be the same day, for each district, not less than ten days after the said notice, and requiring all the enrolled inhabitants (not being exempts) in the said regiment or battalion, and residing within the bounds thereof, to meet at a certain place as near the centre of the said district as may be, and then and there, between the hours of ten in the morning and five in the afternoon of the said day, to elect by ballot one brigadier-general, one brigade-inspector and one lieutenant-colonel, and the commanding officer of each regiment is hereby required to appoint one suitable person in each of said districts to conduct said elections, for performing which service, he shall receive one dollar fifty cents per day, to be paid out of the regimental fund ; and on failing to attend as aforesaid, he shall forfeit and pay the sum of ten dollars, to be recovered by warrant issued by the commander of the regiment, directed to any constable or other fit person, which fine so recovered shall be paid into the regimental fund ; and the enrolled inhabitants as aforesaid, of each battalion bounds respectively, shall elect by ballot as aforesaid, on the same or some other day, and at such place and time as shall be most convenient, but with the least possible delay, one major, and the enrolled inhabitants of each company bounds respectively, not being exempts, shall elect by ballot as aforesaid, on some other day and at such place within the bounds of such company as shall be most convenient, but with the least possible delay, one captain, one lieutenant, one ensign, four sergeants and four corporals ; previous to which said election or elections respectively, the enrolled inhabitants shall elect two respectable citizens to act as judges, also two for clerks, to be under oath or affirmation, which the officer or person superintending the election is hereby authorized to administer, and shall certify to the inspector, and also the regimental and company officers, the names of the persons so elected, and shall place a copy of the returns for brigadier-general and brigade-inspector in the office of the prothonotary of the proper county where such election is held ; and the said superintendants of each and every of the said regiment or battalion elections, after the officers are elected, shall give a certified notice thereof under their hands and seals to the brigade-inspector, who shall give notice to the persons elected, and transmit to the Governor a proper return of the officers elected to be commissioned, mentioning the number of the brigade, regiment, battalion, troop or company, the name of each person and their respective ranks ; and thereupon commissions shall be granted agreeably to the intent of this act ; and the majors shall attend and superintend all the elections of commissioned company-officers within the bounds of their respective battalions, and report the same as aforesaid to the brigade-inspector. And elections for officers in the light-horse and artillery

Brigadier-general, brigade inspector, lieutenant-colonel.

Person to be appointed to conduct elections.

His compensation.

Penalty on failure to do his duty.

Major.

Captain, lieutenant, ensign, &c. Judges and clerks of election to be chosen.

Duty of superintendant of elections.

Duty of the brigade inspector.

Of the majors.

Light-horse and artillery

How vacancies are to be supplied by election.

How resignations are to be made.

In case of neglect or refusal to elect, vacancies to be supplied upon nomination.

To be commissioned by the Governor.

But if no person is found willing to accept, the brigade-inspector to appoint, &c. Compensation of the person appointed.

shall be held and conducted in like manner as elections of officers in the infantry, and in every case of future vacancy, whether occasioned by death, resignation or otherwise, the major-general of the division shall appoint some fit person to hold the election, if there shall be no brigade-inspector, who shall make return as the inspector is directed by this act; the commanding officer of the regiment shall give immediate information thereof to the brigade-inspector, who shall, with the least possible delay, order elections to be held for filling such vacancies agreeably to the manner herein-before described, and all resignations shall be made as follows, that is to say; a company or regimental staff-officer to the lieutenant-colonel or commanding officer of the regiment, a field-officer to the brigadier-general, and the brigadier-general to the major-general, and the major-general to the commander in chief; and the major-general shall give notice to the brigade-inspector for filling such vacancy as the case may be; the brigadier-general shall give notice to the brigade-inspector when a vacancy shall be for a field-officer; but if any brigade, regiment, battalion, troop or company, being duly notified and required as aforesaid, shall neglect or refuse to elect their officers as aforesaid, then it shall and may be lawful for the major-general to nominate, if the election was to have been for a brigadier-general or brigade-inspector, two suitable persons for each office, one of whom shall be commissioned by the Governor, which shall be as effectual to all intents and purposes as if they had been elected as before directed. And further, it shall and may be lawful for the brigade-inspector to whom such regiment belongs, to nominate, if the said election was to have been held for a field-officer or officers, with the approbation of the brigadier-general, and if for a commissioned company officer or officers, with the approbation of the field-officers of the regiment, one suitable person to the Governor, in the room of each officer so neglected to be chosen, who shall be commissioned by the Governor, which shall be as effectual to all intents and purposes as if the said officer had been elected as before directed; generals of divisions or brigade-inspectors, as the case may require, shall as soon as may be, acquaint the parties so neglecting or refusing the appointment that shall have been made as aforesaid, and if no person can be found in the company who shall be willing to serve as an officer of said company, then in such case the brigade-inspector is hereby authorized to appoint a person and pay him one dollar per day for his service, which money so paid shall be allowed such inspector, on settlement of his accounts with the accounting officers, and the person so appointed shall make a return of such company as exempt on oath or affirmation to the inspector, under the penalty of twenty dollars, which return so made shall be as

valid to all intents and purposes as if made by a proper commissioned officer of said company, but no change shall take place other than that provided for in the first section of this act, so that an entire and general election and appointment of all the officers of all and every of the divisions, brigades and regiments throughout the Commonwealth shall take place according to the directions and intent of this act, between the months of May and August in the year one thousand eight hundred and seven, any commission or commissions granted by the Governor notwithstanding; but at least two months before such general election shall take place, the general officers of each division shall equalize the brigades, and the brigadier-general, brigade-inspector and field-officers shall equalize the regiments in the respective brigades; and the field-officers shall also equalize the companies in their regiments respectively, so that no regiment shall consist of more than one thousand nor less than five hundred men, and no company of more than one hundred nor less than sixty-four privates, and immediately after such general election of the militia officers shall take place, the rank of lieutenant-colonels shall be determined by lot to be drawn in the presence of the brigadier-general; and the rank of the majors and captains in the several regiments to be determined in like manner by lot to be drawn in the presence of the lieutenant-colonel or commanding officer of the regiment; and all the brigade-inspectors now in office shall continue until their successors are duly elected and commissioned agreeably to this act, and the commissions of all officers who, agreeably to the provisions of this act, shall be elected or appointed for or within the first period of four years, appointed for the continuance of office, shall bear date the third day of August one thousand eight hundred and seven, and in every subsequent period of four years the commissions of all officers who shall be elected or appointed for or within the said period, shall bear date on the day on which the said period commences.

No change to take place other than that provided for in the first section.

An entire and general election and appointment of all officers to take place between May and August, 1807. Brigades, regiments and companies to be equalized.

Date of commissions for the first period:

And any subsequent period.

Mode of proceeding by the major-general where the election of an officer is contested:

Also by the brigade inspector:

SECT. XII. *And be it further enacted by the authority aforesaid,* That if the election of a brigadier-general or brigade-inspector shall be contested, the major-general shall, on application to him made by petition signed by at least eighty of the enrolled militia of the brigade, shall give ten days notice, that he, together with four field-officers to be by him appointed for that purpose, will on a certain day hear the allegations and proofs of the parties, and thereupon shall either confirm the election and certify the same to the Governor, or order a new election as justice may require; and if the election of a field-officer shall be contested, the brigade-inspector shall, on application to him made by petition signed by at least sixty-four of the enrolled militia of the regiment, give notice in writing to the brigadier-general and to

And by the commanding officer and other field-officer of a regiment.

two of the lieutenant-colonels of the brigade wherein such contest shall arise, who or any two of them shall meet at some certain time and place within the regiment bounds, of which ten days previous notice shall be given by the brigade-inspector, by three advertisements to be put up at some of the public places within the bounds aforesaid; and it shall be the duty of those the said officers so met, to hear the allegations and proofs of the parties, and thereupon shall either confirm the election and certify the same to the Governor, or order a new election, as justice may require; and if the election of a company-officer shall be contested, a petition signed by at least twenty of the enrolled militia of the company wherein such contest shall happen, may be presented to the commanding officer of the regiment, who, together with the other field-officers of the regiment, shall hear and determine the matter in controversy, they or one of them having first given the like notice by advertisement of the time and place of meeting, as is required in the case of a contest respecting the election of a field-officer.

The regiments numbered.

SECT. XIII. *And be it further enacted by the authority aforesaid,* That the regiments shall be numbered and called as follow, *to wit:* In the city of Philadelphia the regiment commanded by lieutenant-colonel Pancake, shall be number twenty-four; by lieutenant-colonel Duane, number twenty-five; by lieutenant-colonel Bright, number twenty-eight; by lieutenant-colonel Simonds, number fifty; by lieutenant-colonel Ferguson, number eighty-four: In the county of Philadelphia the regiment commanded by lieutenant-colonel Krips, number forty-two; by lieutenant-colonel M'Mullen, number sixty-seven; by lieutenant-colonel Beck, number seventy-five; by lieutenant-colonel Sullivan, number eighty; by lieutenant-colonel Kessler, number eighty-eight; by lieutenant-colonel Morton, number one hundred and forty: In the county of Montgomery, the regiment commanded by lieutenant-colonel Henderson, number thirty-six; by lieutenant colonel Wentz, number fifty-one; by lieutenant-colonel Snyder, number fifty-six; by lieutenant-colonel Davis, number eighty-six: In the county of Bucks, the regiment commanded by lieutenant-colonel Smith, number fifteen; by lieutenant-colonel Piper, number thirty-one; by lieutenant-colonel Clunn, number thirty-two; and by lieutenant-colonel Vansant, number forty-eight: In the counties of Chester and Delaware, the regiment commanded by lieutenant-colonel Greer, number twenty-seven; by lieutenant-colonel Armstrong, number forty-seven; by lieutenant-colonel Pierce, number eighty-five; by lieutenant-colonel Cochran, number ninety-seven; by lieutenant-colonel Davis, number forty-four; by lieutenant-colonel Pearson, number sixty-five; by lieutenant-colonel Ralston, number ninety-two; and by lieutenant-colonel Richards, number one

hundred: In the county of Lancaster, the regiment commanded by lieutenant-colonel Wright, number five; by lieutenant-colonel Ensminger, number seven; by lieutenant-colonel Reap, number one hundred and twenty; by lieutenant-colonel Thomas, number one hundred and twenty-one; by lieutenant-colonel Strickler, number thirty-four; by lieutenant-colonel Boyd, number ninety-eight; by lieutenant-colonel Boal, number sixty; and by lieutenant-colonel Long, number one hundred and four: In the counties of York and Adams, the regiment commanded by lieutenant-colonel Kelly, number forty-one; by lieutenant-colonel Reisinger, number sixty-one; by lieutenant-colonel Lawson, number one hundred and eleven; by lieutenant-colonel Pennington, number one hundred and thirteen; by lieutenant-colonel Himes, number one hundred and twenty-four: In the county of Adams, the regiment commanded by lieutenant-colonel Horner, number nine; by lieutenant-colonel Kerr, number twenty; by lieutenant-colonel Black, number forty; and by lieutenant-colonel Brown, number ninety-three: In the county of Berks, the regiment commanded by lieutenant-colonel Baum, number thirty-seven; by lieutenant-colonel Shoemaker, number forty-three; by lieutenant-colonel Schrader, number sixty-nine; by lieutenant-colonel Epler, number seventy-nine; and by lieutenant-colonel Kline, number one hundred and fourteen: In the county of Dauphin, the regiment commanded by lieutenant-colonel Bowman, number three; by lieutenant-colonel Wayne, number sixty-six; by lieutenant-colonel Wolfersberger, number seventy-eight; by lieutenant-colonel Lavenguth, number ninety-five; and by lieutenant-colonel Seebolt, number one hundred and seventeen: In the county of Cumberland the regiment commanded by lieutenant-colonel Bovard, number twelve; by lieutenant-colonel Ewalt, number twenty-one; by lieutenant-colonel Urie, number forty-nine; by lieutenant-colonel McBeath, number fifty-nine; by lieutenant-colonel Martin, number eighty-seven; and by lieutenant-colonel Rupley, number one hundred and sixteen: In the county of Franklin, the regiment commanded by lieutenant-colonel Findley, number one; by lieutenant-colonel Alexander, number sixty-four; by lieutenant-colonel Beatty, number sixty-eight; by lieutenant-colonel Snider, number seventy-three; and by lieutenant-colonel Scott, number ninety-six: In the counties of Northampton and Wayne, the regiment commanded by lieutenant-colonel Wetzel, number thirteen; by lieutenant-colonel Miller, number thirty-eight; by lieutenant-colonel Keiper, number ninety-four; by lieutenant-colonel Kestler, number one hundred and one; by lieutenant-colonel McKeen, number one hundred and eighteen; by lieutenant-colonel Jacoby, number eight; by lieutenant-colonel Horn, number seventy-one; by lieutenant-colonel Tanner, number one



hundred and ten; by lieutenant-colonel Dingman, number one hundred and three; and by lieutenant colonel Schnyder, number one hundred and fifteen: In the counties of Northumberland and Luzerne, the regiment commanded by lieutenant-colonel Inman, number thirty-five; by lieutenant-colonel Montgomery, number eighty-one; by lieutenant-colonel Rupert, number one hundred and twelve; by lieutenant-colonel Giffin, number one hundred and twenty-three; by lieutenant-colonel Stevens, number one hundred and twenty-nine; by lieutenant-colonel McKenny, number eighteen; by lieutenant-colonel Baldy, number thirty-nine; by lieutenant-colonel Drum, number seventy-seven; by lieutenant-colonel Moore, number one hundred and six; by lieutenant-colonel Denniston, number forty-five: In the counties of Lycoming, Tioga, Potter, Jefferson, McKean and Clearfield, the regiment commanded by lieutenant-colonel Cumings, number four; by lieutenant colonel Quigle, number one hundred and two; by lieutenant-colonel Spalding, number fifty-seven: In the counties of Huntingdon, Mifflin and Centre, the regiment commanded by lieutenant-colonel McDowel, number eleven; by lieutenant-colonel Beale, number fifty-two; by lieutenant-colonel Bratton, number seventy-four; by lieutenant-colonel Banks, number eighty-three; by lieutenant-colonel Benner, number eighty-nine; by lieutenant-colonel Myers, number one hundred and thirty-one; by lieutenant-colonel Moore, number fourteen; by lieutenant-colonel Henderson, number thirty-three; by lieutenant-colonel Cromwell, number forty-six; by lieutenant-colonel Kellup, number fifty-eight; by lieutenant-colonel Entricken, number one hundred and nineteen: In the counties of Somerset, Bedford and Cambria, the regiment commanded by lieutenant-colonel Jones, number ten; by lieutenant-colonel Kimmel, number one hundred and nine; by lieutenant-colonel Boyls, number one hundred and twenty-eight; by lieutenant-colonel Moore, number one hundred and twenty-seven; by lieutenant colonel Reynolds, number one hundred and five; by lieutenant-colonel Agnew, number fifty-five: In the county of Fayette, the regiment commanded by lieutenant-colonel Collins, number seventy-two; by lieutenant-colonel Oliphant, number ninety; by lieutenant-colonel Brashear, number ninety-one; by lieutenant-colonel Whaley, number one hundred and eight: In the counties of Washington and Greene, the regiment commanded by lieutenant-colonel Achison, number twenty-two; by lieutenant-colonel Donaldson, number twenty-three; by lieutenant-colonel Mitchell, number fifty-three; by lieutenant-colonel Stephenson, number eighty-two; by lieutenant colonel Clark, number six; by lieutenant-colonel Jenkins, number ninety-nine; by lieutenant-colonel Huston, number one hundred and twenty-two; by lieutenant-colonel Cather, number one hundred and

thirty: In the county of Westmoreland, the regiment commanded by lieutenant-colonel Bonnet, number two; by lieutenant-colonel Wagle, number nineteen; by lieutenant-colonel Campbell, number fifty-four; by lieutenant-colonel M'Dowell, number sixty-three; by lieutenant-colonel Hunter, number seventy: In the counties of Allegheny, Armstrong, and Indiana, the regiment commanded by lieutenant-colonel Baird, number one hundred and forty-one; by lieutenant-colonel Baldwin, number seventy-six; by lieutenant-colonel Free, number sixteen; by lieutenant-colonel Cunningham, number sixty-two; by lieutenant-colonel M'Comb, number thirty; by lieutenant-colonel Mounts; number one hundred and twenty-six; by lieutenant-colonel Elrod, number one hundred and twenty-five: In the counties of Beaver, Butler, Mercer, Crawford, Erie, Venango, and Warren, the regiment commanded by lieutenant-colonel Sproat, number twenty-six; by lieutenant-colonel Laurens, number one hundred and thirty-nine; by lieutenant-colonel Reed, number one hundred and seven; by lieutenant-colonel Hackney, number one hundred and thirty-seven; by lieutenant-colonel Marvin, number one hundred and thirty-six; by lieutenant-colonel Huston, number one hundred and thirty-five; by lieutenant-colonel Stokely, number one hundred and thirty-four; by lieutenant-colonel Stockton, number one hundred and thirty-three; by lieutenant-colonel Forster, number seventeen; by lieutenant-colonel Dale, number one hundred and thirty-two; by lieutenant-colonel Gilliland, number twenty-nine; by lieutenant-colonel Carothers, number one hundred and thirty-eight. And all the regiments hereafter to be formed, shall follow those in numerical order; but nothing contained in this section shall be construed as giving preference of rank to the officers which shall at all times be determined by lot.

SECT. XIV. *And be it further enacted by the authority aforesaid,* That every militia-man, moving out of the bounds of one company into the bounds of another, shall apply to the commanding officer of the company to which he did belong, who shall give him a discharge in writing certifying the class to which he belongs, and whether he has served his tour of duty or not, and the time and date of his service, which certificate he shall produce to the captain or commanding officer of the company in whose bounds he next settles, within twenty days after his settlement, under the penalty of three dollars; and the said captain or commanding officer is hereby required to enrol him in the class specified in the said certificate.

Proceedings on the removal of any militia-man from his district.

SECT. XV. *And be it further enacted by the authority aforesaid,* That the whole of the militia of this state, (except as herein excepted) shall be trained and exercised in companies, troops, battalions and regiments by their respective officers, as follows, viz.

Manner and times of training and exercising the militia.

of appeal and courts martial not removable by certiorari.

Commanding officers of companies to return the names of absentees and list of fines charged :

And courts of appeal to return delinquents, &c.

Compensation to the captain, &c. for making returns, &c.

Compensation to officers holding appeals, and regimental courts martial.

Paymaster to have a book for keeping accounts; his allowance for services.

Allowance to officers holding general or brigade courts-martial.

Bond to be given by the paymaster.

How fines shall be recovered.

court of law of this Commonwealth, to remove any proceedings that shall be had in any court of appeal or court martial held under and by virtue of this act, and that no court of law of the said Commonwealth, nor any justice of the peace or alderman shall, in any case hear and determine, or in any manner take cognizance of appeals that may be offered or attempted from any sentence or decree passed or made by such courts of appeal or court martial, any law, usage or practice, or any construction of any clause in this act to the contrary in any wise notwithstanding.

SECT. XIX. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commanding officer of each company, under the penalty of forty dollars, to transmit under oath or affirmation, a list of the names of all the absentees, and the fines charged for non-attendance on days of training, and also the names of the exempts to the officers holding the appeals; and the said courts of appeal are hereby enjoined and required, under the penalty of forty dollars each, to make return of all delinquents whose fines shall not be remitted, to the commanding officer of the company, and also transmit a general return to the commanding officer of the regiment, and one copy to the paymaster thereof; and each captain or commanding officer of a company shall receive one dollar per day, for making the several returns required of him by this act, and shall attend at the court of appeal and receive the return of the delinquents, whose fines shall not be remitted, and shall within twenty days certify to the paymaster, the name of the constable to whom he delivered the warrant; and officers holding appeals and regimental courts-martial, shall receive each one dollar per day, to be paid by the paymaster of the regiment in which such duty is performed, on orders drawn by the lieutenant-colonel or commanding officer thereof; and each paymaster shall have a book for keeping the accounts, to be paid for out of the regimental fund, and shall for performing the several duties required of him by this act, receive five per centum on all monies that come into his hands; and officers holding general or brigade courts-martial, shall be paid each one dollar per day by the inspector of the brigade in which such court-martial is held, on orders signed by the president of the court-martial, to be allowed to such brigade-inspector on the settlement of his accounts; and every paymaster, before he enters upon the duties assigned him by this act, shall give bond to the commanding officer of the regiment, with one or more sufficient sureties in the penalty of two hundred dollars, and conditioned for the performance of his duties.

SECT. XX. *And be it further enacted by the authority aforesaid,* That for the purpose of levying and collecting as well the fines

that shall be incurred for non-attendance on days of training, as those which shall be imposed by courts martial; the president of the court-martial, if the fine was imposed by a court-martial, and the commanding officer of the company, if the fine was incurred for non-attendance on any day or days of training within ten days after the passing of the sentence or decree of the court-martial or court of appeal, shall be obliged, and under the penalty of fifty dollars, for every neglect or refusal therein; and he is hereby enjoined to issue a warrant under his hand and seal, directed to some constable, or fit person, who shall thereby be authorized to act as a constable, commanding him to levy and collect the said fine or fines; and the said constable, or other fit person so appointed to collect, shall be authorized, and he is hereby required under the penalty of thirty dollars, to call on every delinquent who shall be named in such warrant or schedule, or list thereto annexed, and demand payment of the said fine or fines, and on neglect or refusal to make such payment, after demand so as aforesaid made, then the said constable having the said warrant, is hereby required to proceed to collect the said fines, together with costs, in the same manner, and with like power and effect as constables are required to proceed with executions issued by virtue of an act, entitled "An act for the recovery of debts and demands not exceeding one hundred dollars, before a justice of the peace, and for the election of constables, and for other purposes," passed the twenty-eighth day of March, one thousand eight hundred and four; but if any such constable, or other fit person, for the space of thirty days after the receipt of such warrant, endorsed with the time of delivering the same by the president of the court-martial or the commanding officer of the company, as the case may be, shall neglect or refuse to pay unto the paymaster of the regiment, or other person by this act entitled to receive the same, the whole amount of the fines in the said schedule or list contained, such constable or other fit person, for every such neglect or refusal, shall forfeit and pay to the said paymaster, for the use of the regiment, double the amount of all the fines marked on the said schedule or list, which shall not within the said thirty days, have been paid over to the proper paymaster, and to be recovered by the paymaster in the same manner as debts of the same amount are by law recoverable, excepting only therefrom such fines as the field officers of the regiment or a majority of them, who are hereby constituted a board for the purpose, and who when sitting as such, shall be under oath or affirmation, shall annually, on the second Monday of December, adjudge it to have been impracticable or improper for the said constable or other fit person, to collect and obtain; and the said field officers or a majority of them shall have power to meet on their own adjourn-

To whom payable and within what time, and penalty for neglect.

Certain fines excepted.

Paymaster to make annual exhibit of his accounts.

Penalty for neglecting to make such exhibit or deliver over the documents in his office to a successor :

And upon neglect or refusal to pay the penalty incurred, to be committed to the common gaol, &c.

Allowance to the constable who may collect the money outstanding.

Certain fines and forfeitures to be recovered before a justice of the peace, &c.

Appropriation of the fines.

ments, to perform the duties required of them ; and it shall be the duty of the said paymaster of the regiment, on the second Monday of December annually, to make out a fair and clear statement of his accounts, and lay the same before the field officers and any two of the captains of the regiment, who shall examine it ; and having certified the balance as it shall appear to them on the said statement, one copy thereof shall remain with the paymaster, and another to be lodged with the colonel or commanding officer of the regiment ; but if any paymaster shall neglect or refuse to make a statement of his accounts and compel the collection of the fines in manner aforesaid, or when duly required shall neglect or refuse to surrender all the papers, books and accounts belonging to his office to his successor in office, he shall, for every such neglect or refusal, of which a regimental court-martial shall judge, such paymaster or his executors, administrators or others possessing such books, papers or accounts, forfeit and pay for the use of the regiment, the sum of one hundred dollars to be recovered by the quarter-master of the regiment in the same manner as is provided by the forty-second section of this act, for the collection of fines imposed on other officers ; and in all cases arising by virtue of this act, where any delinquents shall neglect or refuse to pay the fine or penalty incurred by him, and no property can be found to satisfy and discharge the same, the constable or other fit person shall take the body of such delinquent and commit him to the common gaol of the proper county, until he shall pay the same, or be discharged by due course of law ; and such constable or other fit person, or constables, shall be entitled to have and receive ten per centum for all monies by him or them collected and paid over out of the regimental funds.

SECT. XXI. *And be it further enacted by the authority aforesaid,* That all fines and forfeitures incurred by officers under this act, for the neglect of duty, where the mode of recovery and the appropriation is not provided for, the same shall be recovered by the commanding officers of the regiment before any justice of the peace, in the same manner as debts of the same amount are by law recoverable, and to be paid into the regimental treasury.

SECT. XXII. *And be it further enacted by the authority aforesaid,* That the paymaster of the regiment shall hold the monies paid over to him according to the directions of this act, subject to the drafts of the colonel or commanding officer of the regiment, to be drawn in the order, and for the purposes herein mentioned, *to wit :* To pay drummers, fifers, trumpeters and buglers, to pay for the repairs of drums, arms, and for the different duties other than those of company and field days, which by this act are imposed upon officers and others, and for which no provision is made, and to defray all such other expenses as a ma-

majority of the field officers of each regiment may adjudge to be necessary and useful for the regiment, for promoting military purposes and discipline, and effectuating the ends and purposes of this act.

SECT. XXIII. *And be it further enacted by the authority aforesaid,*

That the form of the warrant to be issued by the captain or commanding officer of each company for the collection of fines for non-attendance on days of training, may be as follows: *Form of the warrant to be issued for collecting fines:*

"The Commonwealth of Pennsylvania to A. B. greeting: Whereas the persons named in the schedule or list hereto annexed, have by the court of appeals of their proper battalion, been duly sentenced to pay the fines to their names respectively subjoined; this warrant therefore authorizes and requires you to demand and receive of all and each of the persons named in the said schedule, the amount of fines to their names respectively annexed, and in case of the refusal of all or any of them to pay the same, then to levy the said debt and costs of the goods and chattles of all or any of the delinquents named in your schedule or list annexed, by distress and sale thereof, returning the overplus, if any, to the owner or owners respectively; but for want of such effects, then to take the body or bodies of such persons named in the said list respectively, to the jail of the county where the delinquents reside, there to be detained until the fine and costs shall be paid or satisfied, or he or they shall be otherwise legally discharged. Witness my hand and seal, the       day of       one thousand eight hundred and

To       Collector.       C. D. Captain." (L. s.)

And the form of the warrant to be issued by the president of the court martial, may be as follows; The Commonwealth of Pennsylvania, to A. B. greeting: Whereas C. D. hath been duly sentenced to pay a fine in the sum of       (for disobedience of orders, neglect of duty, &c. as the case may be) this warrant therefore authorizes and requires you to levy the said debt and costs of the goods and chattles of the said

by distress and sale thereof, returning the overplus, if any, to the said       but for want of such effects, then to take the body of the said       and convey him to the gaol of the county where the offender resides, there to be detained until the debt and costs aforesaid shall be paid or satisfied, or he shall be otherwise legally discharged. Given under the hand and seal of the president of our said court, the       day of       one thousand eight hundred and

C. D. President. (L. s.)

To       Collector."

SECT. XXIV. *And be it further enacted by the authority aforesaid,* That whenever it may be necessary to call into actual service any part of the militia, in case of rebellion or of an actual or threatened

The militia may be called into actual

service on  
any emer-  
gency.

The compa-  
nies of each  
regiment or  
battalion to  
be divided  
into classes.

How the mi-  
litia shall be  
officered  
when called  
into service  
by classes.

invasion of this or any of the neighbouring states, then it shall and may be lawful for the Governor to order into actual service, such part of the militia, by classes, as the exigency may require. *Provided*, That the part so called, doth not exceed four classes of the militia of any brigade. *And provided also*, That such brigade or brigades shall not be again called into actual service, until an equal number of the classes of the militia of the other brigades respectively be first called, unless the danger of an invasion should make it necessary to keep in reserve the militia of such brigade or brigades for immediate defence; and the companies in each regiment or battalion of the state, shall within one year after the passing of this act, be divided into eight classes (where the same is not already done), all flank companies, whether of grenadiers, light-infantry or riflemen, shall be called into service by companies or parts of companies, and not by classes; the first flank company making part of the first call, and the second flank company shall make part of the fifth call of the militia, and be commanded by their own proper officers; and every flank company formed in future shall be formed under the direction and approbation of the field-officers of the regiment, to consist of not less than sixty-four privates, and composed of men actually resident within the bounds of the regiment to which they are to be attached, and not otherwise.

SECT. XXV. *And be it further enacted by the authority aforesaid*, That the militia, when called by classes to perform a tour of duty shall be officered in the following manner, *that is to say*: For the first draft, the captain of the first company, the lieutenant of the second, and ensign of the fourth; second draft, the captain of the second company, the lieutenant of the first, and ensign of the third; third draft, the captain of the third company, the lieutenant of the fourth, and ensign of the second; fourth draft, the captain of the fourth company, lieutenant of the third, ensign of the first; the fifth draft, the fifth captain, lieutenant of the sixth, and ensign of the eighth; the sixth draft, the sixth captain, the lieutenant of the fifth, and ensign of the seventh; the seventh draft, the captain of the seventh company, the lieutenant of the eighth, and ensign of the sixth; eighth draft, the captain of the eighth, the lieutenant of the seventh, and the ensign of the fifth. Non-commissioned officers to take their tour of duty with the commissioned officers, and the routine of the field-officers shall be according to the date of their respective commissions; the first colonel of the brigade shall command the first detachment, if it amount to a colonel's command; but if it does not, the command shall devolve on the first major; and each draft shall be liable to serve two months, and no longer, and to be relieved by the class next in numerical order, the relief to arrive at the place of destination at least

The forego-  
ing plan may

two days before the expiration of the term of the class to be relieved; but nothing herein contained shall prevent the Governor from employing and calling out part of any class, or any company or companies, regiment or regiments, without respect to this rule, whenever any exigency is too sudden to admit of the assembling of the militia in the ordinary way; and the service of the person or persons so called out, shall be accounted as part of his or their tour of duty; and the pay of the militia in actual service shall commence two days before marching, and they shall receive pay and rations at the rate of fifteen miles per day on their return home.

be dispensed with when the exigency of the case requires it.

When the pay and rations of the militia shall commence and end.

SECT. XXVI. *And be it further enacted by the authority aforesaid,* That when any detachment of the militia shall be called into service, the captain of each company shall take care that his proportion of men are assembled and marched to the proper place of parade, under the care of a commissioned officer or sergeant, with a list of the men, which list shall be delivered to the adjutant of the regiment; whose duty it shall be to attend at the place appointed, to receive detachments from the several companies of his regiment, and he shall make out a roll mentioning the rank of the officers, and names of the non-commissioned officers and privates; and when the detachment shall be completed and placed under the command of the proper officer, he shall attend them to the place appointed for the meeting of the detachment of the brigade, where the several adjutants shall each deliver a list of the detachment from his regiment to the brigade-inspector; whose duty it shall be to attend at the place appointed for assembling the detachment from his brigade, and to furnish a complete list thereof to the commanding officer of the detachment, noting particularly in detail the officers, non-commissioned officers and privates from the respective regiments within his brigade; and it shall further be the duty of the brigade-inspector, to march with such detachment to the place of general rendezvous appointed for the whole of the militia called out, and there deliver to the commanding officer a duplicate of the list aforesaid; and it shall be the duty of such commanding officer to make a general return noting particularly the detail from each brigade, certified under his hand, and shall cause the same to be delivered to the adjutant-general within ten days after the marching of his detachment under the penalty of one hundred dollars.

When a detachment of militia is called into service, each company to be marched to the proper place of parade, and a list of the men to be delivered to the adjutant of the regiment.

His duty. Duty of the brigade-inspector.

Of the commanding officer of the detachment.

SECT. XXVII. *And be it further enacted by the authority aforesaid,* That whenever the militia are called into actual service of this State or of the United States, it shall and may be lawful for the Governor, if he may deem it expedient, to organize the cavalry into brigades, regiments, squadrons and troops, so that each brigade shall consist of four regiments, each regiment of two

The Governor empowered, on a call of the militia into actual ser-



vice, to organise the cavalry, &c.

Of the appointment of the officers.

Substitutes allowed.

Proviso if the substitute's turn should happen while he is out.

Pay and rations of the militia when on duty, and penalty on any person for not performing his duty.

What part of the militia may meet in division or brigade on regimental muster-days.

squadrons, each squadron of four troops, in such manner that no troop shall consist of more than one hundred, nor less than sixty-four non-commissioned officers and privates, to be officered as follows: To each brigade one brigadier-general and one brigade-major, with the rank of major; to each regiment one lieutenant-colonel commandant and two majors, first and second; to each squadron one major; to each troop one captain, two lieutenants, one cornet, four sergeants, four corporals, one saddler, one farrier, and one trumpeter: The general officers shall be appointed by the Governor, and the elections for field-officers shall be held at the place of general rendezvous appointed after such call, and conducted as nearly as may be according to the directions prescribed by this act for the elections of other field-officers, the brigadier-generals shall appoint their brigade-majors, and the field-officers of each regiment shall appoint their respective regimental-staffs.

SECT. XXVIII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for any person called to perform a tour of duty to find a sufficient substitute, such substitute being approved of by the captain or commanding officer of the company in which he shall have offered to serve. *Provided always,* That if any substitute shall be called in his own turn into actual service before the term expires which he was to serve for his employer, then the person procuring such substitute shall march, or find a sufficient person to march in his said substitute's turn, or be liable to pay his fine for neglect; which fine is to be recovered as other fines for neglect of serving, are by this act recoverable; and that sons, who are not subject to the militia law, may be admitted as substitutes for their fathers, if approved of by the commanding officer of the company in which they shall be offered to serve.

SECT. XXIX. *And be it further enacted by the authority aforesaid,* That when the militia or any detachment thereof are called out on duty, they shall be entitled to like pay and rations as are or shall be provided for the army of the United States; and that every person refusing or neglecting to perform his tour of duty in person or by substitute, shall pay the sum of sixteen dollars for every such neglect or refusal, if the tour was to be for a term not exceeding one month, and in proportion if the tour was to be for any longer or shorter term.

SECT. XXX. *And be it further enacted by the authority aforesaid,* That the division composed of the militia of the city and county of Philadelphia, by direction of the general officers thereof, if they see cause, and by and with the consent of the field-officers of the respective regiments, is hereby authorized to meet in division or brigade on any of the days herein appointed for regimental training; and the commanding officers of the several and

respective regiments composed of the militia residing northwest of the rivers Ohio and Allegheny, and Conewango creek; and likewise the militia within the counties of Indiana, Cambria, and that part of Armstrong county lying east of the Allegheny river; and that part of Westmoreland county called Ligonier Valley, and that part of Wayne county above the barrens, are hereby authorized and empowered to cause, the same (if they may deem it expedient) to meet and exercise in battalions on any of the days appointed by this act for training in regiments. And what part in battalions.

SECT. XXXI. *And be it further enacted by the authority aforesaid,* That the following articles, rules and regulations shall be those by which the militia shall be governed : Rules and regulations for governing the militia.

ARTICLE I. If any field or other commissioned officer, at any regimental review, or when the regiment, battalion, troop or company to which he may belong, or in which he holds a command, is paraded under arms, shall misbehave or demean himself in an unofficer-like manner, or shall on any such occasion neglect or refuse to obey the orders of his superior officer, he shall, for every such offence be cashiered, or punished by fine, at the discretion of a general or regimental court-martial, as the case may require, in any sum not exceeding sixty dollars; and if any non-commissioned officer or private shall, on any parading of the company to which he belongs, appear with his arms and accoutrements in an unfit condition, or be drunk, or shall disobey orders, or shall use any reproachful or abusive language to his officers or any of them, or shall quarrel or promote any quarrel among his fellow soldiers, he shall be disarmed and put under guard, by order of the commanding officer present, until the company is dismissed, and shall be fined at the discretion of a regimental court-martial, in any sum not exceeding twenty dollars nor less than three dollars. Behaving in an unofficer like manner. Arms out of order or misbehaviour of non-commissioned officers and privates.

ART. II. If the lieutenant-colonel or commanding officer of any regiment, shall neglect or refuse to give orders for assembling his regiment at any time or times appointed by law, excepting in the city and county of Philadelphia, when any contagious disease may be prevalent there, or at the direction of the inspector of the brigade to which he belongs, when the inspector is thereto commanded by the Governor, or in case of an invasion of the city or county to which such regiment belongs, he shall be cashiered, and punished by fine not exceeding two hundred dollars, at the discretion of a general court-martial; and if a commissioned officer of any company shall, on any occasion, neglect or refuse to give orders for assembling the company to which he belongs, or any part thereof, at the direction of his lieutenant-colonel or commanding officer of the regiment to which such company belongs, he shall be cashiered, and punished by fine not exceeding sixty dollars, at the discretion of a Commanding officer of a regiment not performing his duty.

Non-commissioned officer so offending.

Of making out a list of persons drafted.

Penalty for deserting.

Of general courts-martial.

Regimental court-martial.

Two thirds of a court-martial must agree.

Qualification of witnesses.

And of members.

Compulsory process may issue against non-attending witnesses.

Of officers and privates under accusation.

court-martial; and a non-commissioned officer offending in such case, shall be fined at the discretion of a regimental court-martial, in any sum not exceeding twenty dollars.

ART. III. If any captain or commanding officer of a company shall refuse or neglect to make out a list of the persons noticed to perform any tour of duty, and send or convey the same to the lieutenant colonel or commanding officer of the regiment to which such company may belong, for such neglect or refusal he shall be cashiered or fined at the discretion of a regimental court martial, in any sum not exceeding forty dollars.

ART. IV. If any militia man shall desert while he is on a tour of duty, he shall be fined thirty-two dollars for every such offence, and be obliged to march on the next tour of duty, under the same penalties as at first ; if a non-commissioned officer shall so desert, he shall be degraded and placed in the ranks, shall pay a fine of thirty-six dollars, and be obliged to serve another tour as a private.

ART. V. Every general court martial shall consist of thirteen members, all of whom shall be commissioned officers, and of such rank as the case may require, and these thirteen shall choose a president out of their number, who shall not be under the rank of a field officer.

ART. VI. Every regimental court martial shall be composed of seven members, all commissioned officers, who are to choose one of their members a president, not under the rank of a captain ; and every court martial, whether general or regimental, shall appoint a commissioned officer or other fit person to officiate as judge advocate.

ART. VII. In any court martial, not less than two-thirds of the members must agree in every sentence for inflicting any punishment, otherwise the person charged shall be acquitted.

ART. VIII. The president of each and every court martial, whether general or regimental, shall require all witnesses, in order to the trial of offenders, to declare on oath or affirmation that the evidence they shall give is the truth, the whole truth and nothing but the truth ; and the members of such courts shall take an oath or affirmation, which the president is required to administer to them, that they will give judgment with impartiality.

ART. IX. Every court martial shall have power and authority to issue compulsory process against all and every person or persons who shall neglect or refuse to attend for the purpose of giving evidence in any case therein pending.

ART. X. No officer or private, being charged with transgressing these rules, shall be suffered to do duty in the regiment, battalion, company or troop to which he belongs, until he has had his trial by a court martial ; and every person so charged,

shall be tried as soon as a court martial can conveniently be assembled ; and every officer under arrest, shall be furnished by the adjutant general, the brigade inspector, adjutant of the regiment or other person, as the case may require, with a copy of the charge or charges exhibited against him, at least ten days before his trial, that he may have an opportunity to prepare his defence.

ART. XI. If any officer or private shall think himself injured by his lieutenant colonel or commanding officer of the regiment, and shall on due application made to him, be refused redress, he may complain to the brigadier general, who shall direct the brigade inspector to summon a general court martial, that justice may be done.

Remedy for injury from commanding officer of a regiment.

ART. XII. If any officer or private shall think himself injured by his captain or other superior officer in the regiment, troop or company to which he belongs, he may complain to the commanding officer of the regiment, who shall summon a regimental court martial, for doing justice according to the nature of the case.

Remedy for injury from any other officer.

ART. XIII. No penalty shall be inflicted by a court martial, other than degrading, cashiering or fining ; and all fines imposed by regimental courts martial, shall be collected and paid into the hands of the paymaster, as directed in the twentieth section of this act.

Penalty to be inflicted by a court-martial, limited. Fines to whom paid.

ART. XIV. Any officer or private belonging to the militia charged with transgressing any rules in this act contained, and who shall have been tried and acquitted by a court martial, shall be notified forthwith of such acquittal by the president of such court martial, which acquittal and notification shall be an immediate discharge of any officer or private from arrest.

Notification of acquittal to be given.

ART. XV. The commanding officer of the militia for the time being, shall have the full power of pardoning or mitigating any censures or penalties ordered to be inflicted by a general court martial on any officer, non-commissioned officer or private, for the breach of any of these articles ; and every offender convicted as aforesaid by any regimental court martial, may be pardoned, or have the penalty mitigated by the lieutenant colonel or commanding officer of the regiment, excepting only where such censures or penalties are directed as satisfaction for injuries received by one officer or private from another ; but in case of officers, if the same is not above the rank of colonel, to be approved by the major general of the division ; and if above that rank, to be approved by the commander in chief of the militia ; who are respectively empowered to pardon or mitigate such sentence or disapprove of the same.

Power of pardoning and mitigating sentences.

ART. XVI. The militia on the days of training shall be detained under arms, on duty in the field, any time not exceeding

How long the militia may be de-

tained under six hours ; *Provided* they are not kept above three hours under arms on days arms at any one time, without allowing a proper time to refresh of training. themselves.

Fines how to be paid and collected.

ART. XVII. All fines that shall be imposed by general, division or brigade court martial, for any breach of these rules, shall be paid into the hands of the inspectors of the brigades to which the offenders belong, or to such person or persons as he shall appoint, and make known in brigade orders, as his agents or attorneys to receive the same, within three weeks after they become due ; but in case of neglect or refusal to pay any of the said fines, the said brigade inspector shall cause the same to be levied and collected in the manner hereinafter mentioned.

The federal rules of discipline adopted.

ART. XVIII. The rules and discipline approved and established by Congress, by "An act for establishing rules and articles for the government of the armies of the United States," passed April tenth, one thousand eight hundred and six, shall be the rules of discipline to be observed by the militia throughout this State, except such deviations from said rules as may be rendered necessary by the requisitions of the acts of Congress, or of this state ; and it shall be the duty of the commanding officer at every training, whether by regiment, battalion or single company, to cause the militia to be exercised and trained agreeable to the said rules of discipline, and the instructions laid down by the baron Steuben, and annexed to the said rules of discipline, pointing out the respective duties of the officers, non-commissioned officers and privates, are recommended and enjoined upon the militia of this State, as fully as if the said instructions were repeated and expressed in this act at length.

And the instructions of the Baron Steuben.

Militia to be subject to the same rules and regulations as the federal army, whilst in actual service.

The foregoing articles to be read annually by the commanding officers of companies.

ART. XIX. The militia of this State, whilst in the actual service thereof, or of the United States, shall be subject to the same rules and regulations as the federal army ; and it shall be the duty of the commanding officer of each company, under the penalty of five dollars for every neglect, to read or cause to be read the foregoing articles, at least once in every year, on some company day of training.

Privilege of militia from civil process.

SECT. XXXII. *And be it further enacted by the authority aforesaid,* That no civil process shall be served on any commissioned officer or private, at any regimental, battalion or company training, or while going to or returning from the place of such review or training.

How all other fines are to be recovered.

SECT. XXXIII. *And be it further enacted by the authority aforesaid,* That all and every of the fines and forfeitures by this act made payable for the recovery and appropriation, of which no mode is herein-before pointed out, shall be recovered by the inspectors of the several brigades, in the name and for the use of the commonwealth, by action of debt, before any justice of the peace or in any court of record within this commonwealth, as first

the amount thereof they shall be cognizable; and the said inspector shall render his accounts for all monies by him received and disbursed by virtue of this act, to the officers of the department of accounts, for settlement, every twelve months; and in case of the refusal or neglect of any brigade-inspector to render his accounts as aforesaid, the Register-general and the comptroller-general are hereby empowered and directed to proceed against him in like manner as they are or may be authorized and empowered to proceed against delinquent county-treasurers, to compel the settlement of their accounts and the payment of monies due the Commonwealth thereon, into the state-treasury.

The brigade-inspector to exhibit an account of his receipts and disbursements annually to the officers of accounts.

SECT. XXXIV. *And be it further enacted by the authority aforesaid,* That all monies paid into the treasury by virtue of this act, shall be appropriated for the purpose of equipping and furnishing the militia with arms, and every necessary apparatus for the defence and security of the state; and the Treasurer of the state shall keep separate accounts of the same.

Fines made a fund for militia uses,

SECT. XXXV. *And be it further enacted by the authority aforesaid,* That the brigade-inspector and two reputable and disinterested citizens shall appraise the horse of each officer who is entitled by the rules of war to keep a horse, and the horse of each light-horseman, immediately before every time of going into actual service, and enter such appraisement in a book; and in case such horse shall be killed or die in actual service, or be taken by the enemy, otherwise than by neglect of the owner, on his producing to the officers of the department of accounts a certificate of the loss of the said horse, signed by the commanding officer of the detachment to which he belonged whilst in actual service, together with a certificate of the valuation so as aforesaid directed to be made, he shall thereupon be paid the full amount of such appraisement, by an order to be drawn in the usual manner on the State-treasurer, to be paid out of the militia funds.

Horses to be appraised before going into actual service.

And paid for, if lost therein.

SECT. XXXVI. *And be it further enacted by the authority aforesaid,* That if any person or persons shall knowingly sell, buy, take, exchange, conceal or otherwise fraudulently or unlawfully receive, hold or detain, or shall refuse to deliver up to the proper brigade-inspector, after he shall give public notice thereof, any arms accoutrements, colours, or drums belonging to this state, on any account or pretence whatsoever, the person so offending, being convicted thereof before any justice of the peace or alderman of the city or county where such offence shall be committed, shall forfeit and pay for every such offence, treble the value of such arms and accoutrements, to be ascertained by such justice or alderman, and levied at the suit of the said brigade-inspector, by distress and sale of the offender's goods and chattels, by the justice or alderman before whom such offender shall be convicted, returning the overplus, if any, on demand,

Penalty for fraudulently receiving or holding militia arms or apparatus

together for perfecting themselves in the military art.

How fines are to be collected. To whom paid.

And in what manner appropriated.

Volunteer corps may fix their own days of training and exercise, in addition to those prescribed by law. Of notices and fines in such cases.

Fines how collected. And appropriated.

ments to meet together at the most convenient place, to be fixed by the field officers of each regiment, for the purpose of perfecting themselves in the military art; and the officers aforesaid shall appear with proper arms and uniform, under the same penalty for each neglect as on the days of training, and the commanding officer\* of each regiment shall, within three days after the appeal appointed by this act, direct his warrant, for collection of the fines in this section mentioned, to the quarter-master of the regiment, or other fit person; and the said quarter-master is directed and required to collect and pay over the same to the paymaster of the regiment, within thirty days from the receipt of the warrant, under the penalty of twenty dollars; and shall receive for his services the same compensation as is allowed for collecting fines by the twentieth section of this act, which shall be recovered in like manner, and the persons entitled to like appeal as those for non-attendance are entitled to by this act; and the fines accruing by virtue of this section, shall be appropriated in such manner as a majority of the officers attending on such days of training may direct; and each commissioned and staff-officer shall receive as a compensation for the service required of him by this section, the sum of one dollar and fifty cents for each day's service by him performed, to be paid by the respective county-treasurers on a certificate signed by the lieutenant-colonel or commanding officer of the regiment present, when the service was rendered, to be paid out of the exempt fines; and where there are no exempt fines, to be paid out of the money arising from tavern-licences; and the respective county-treasurers, on producing such certificate, shall be allowed therefor in the settlement of his accounts with the officers of the department of accounts.

SECT. XLIII. *And be it further enacted by the authority aforesaid,* That a majority of any light-infantry, grenadier, rifle or artillery company, or of any troop of horse shall have power at their first meeting in each year, to fix upon, declare and settle what and how many days of training they will have throughout the year, over and above the days herein-before appointed for the training; and it shall be lawful for each and every commanding officer of each and every company, to notify his respective company of such stated days of training, and to inflict and levy such fines and penalties on any member who shall refuse or neglect to attend such days of training as may be agreed upon by a majority of the company convened for that purpose; which fines shall be collected by a sergeant of each company, by virtue of a warrant under the hands and seals of the commissioned officers of the company: and the said fines shall be appropriated for the payment of music and other contingent expences of the company, and paid on warrants to be drawn by the commanding officer; and the accounts of each company shall be examined and settled

\* "officers" in the original.

once in every year, by a committee of three persons members thereof, to be chosen by ballot at a meeting of the company convened for that purpose, which the commanding officer is hereby enjoined to have done on the first Monday in the month of May annually.

SECT. XLIV. *And be it further enacted by the authority aforesaid,* That the regiment of artillery now commanded by lieutenant-colonel John Connelly, formed within the bounds of the first division, composed of the militia of the city and county of Philadelphia, shall continue as heretofore; and the field and other officers of the said regiment, shall be elected in like manner as is directed by this act for the election of officers in the infantry; and the individuals composing said regiment shall be subject to the same fines and penalties, and be entitled to similar relief, as the rest of the militia of this state are entitled to by this act; and the companies composing said regiment shall be called into actual service in rotation, by companies, and not by classes, according to the number in rank which each company bears in said regiment, commencing with the company whose turn it may next be to perform a tour of duty agreeable to former arrangements of said regiment, provided each company shall not be less than forty-four non-commissioned officers and privates.

Special provisions in favour of the regiment of artillery commanded by lieutenant-colonel John Connelly.

SECT. XLV. *And be it further enacted by the authority aforesaid,* That if any officer, non-commissioned officer or private militiaman, or volunteer acting with the militia residing in this state, having a family, shall be slain in battle, or shall die of wounds received in the service of this state, his widow, child or children shall be entitled to similar relief, and under the same regulations and restrictions as were provided by the act entitled, "An act to provide for the more effectual relief of the widows and children of the officers and privates of the militia, who have lost their lives in the service of their country," passed the twenty-seventh day of March, one thousand seven hundred and ninety; and if any officer, non-commissioned officer or private militiaman or volunteer acting with the militia residing in this state, shall be wounded, or otherwise disabled in the service of this state, he shall be entitled to similar relief, and under the same regulations and restrictions as have been provided by an act entitled, "An act for the relief of officers, soldiers and seamen, who in the course of the late war, have been wounded, or otherwise disabled in the service of this State, or of the United States," passed the tenth day of March, one thousand seven hundred and eighty-seven; which last aforesaid act, so far as relates to the purposes of this act, is hereby revived and in full force.

Provision for the widow and children of militia killed in service.

And for wounded or disabled militia.

SECT. XLVI. *And be it further enacted by the authority aforesaid,* That no officer of any company, pay-master nor quarter-master of any regiment shall be permitted to resign, until it shall ap-

No company officer, pay-master or quarter-mas-



ter to resign, until the respective duties required of them by law are performed.

Nor until all public property in their hands is delivered up, &c.

Duty of regimental and company officers hereafter to be elected or appointed. How certain fines are to be collected and paid over.

appear to the satisfaction of the field-officers of the regiment, that he or they have duly performed all the duties required of him or them by law, previously to such intended resignation, nor until he or they shall have delivered up to the colonel or commanding officer of the regiment, all the public property in his or their possession, as a militia officer or officers, belonging to this Commonwealth; and all regimental and company officers, who shall hereafter be elected or appointed, and duly notified of such election or appointment agreeably to this act, are hereby authorized and directed to do and perform all the military duties in this act required; and all fines which are now due, or hereafter may become due, under the act of the sixth of April, one thousand eight hundred and two, or which may be due under this act which now are or hereafter may be uncollected, either by neglect of the commanding officer of companies or the constables, shall be collected by a warrant issued by the commanding officer of the regiment, to the constable of the proper township, or some other fit person with the power of constables in similar cases, to be paid over as is directed by this act.

SECT. XLVII. *And be it further enacted by the authority aforesaid,* That the act entitled, "An act for the regulation of the militia of the Commonwealth of Pennsylvania," passed the sixth day of April, one thousand eight hundred and two; and a supplement thereto passed the twenty-first day of March, one thousand eight hundred and three; and an act making compensation to brigade-inspectors for furnishing blank forms, passed the second day of April, one thousand eight hundred and four; and a further supplement passed the fourth day of April, one thousand eight hundred and five, except so much of the forty-sixth section as relates to the collection of fines now due, or to become due under the above recited acts, which shall have immediate effect, be and the same are hereby repealed and made null and void: *Provided always,* That nothing herein contained, shall be construed so as to revive any former law or laws which, in and by the said recited act, is or are repealed and made void, or to prevent the recovery of any fines or forfeitures incurred under the several laws hereby repealed.

Repeal of former laws.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the ninth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXXIII.

*An ACT for raising by way of lottery the sum of six thousand dollars for defraying the expence of making an aqueduct to conduct water into the town of Meadville, and for other purposes.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That William Poyntell, Matthew Carey, and John Inskeep, of the city of Philadelphia, and Roger Alden of the town of Meadville, be, and they are hereby appointed commissioners to raise by way of lottery, a sum of money not exceeding six thousand dollars, for the purposes of bringing water into the town of Meadville by pipes; of improving the streets and highways within the same; of aiding the funds of the seminary of learning, and of the society for the encouraging manufactures and other useful arts within the same.

Commissioners of the lottery.

Sum to be raised.

For what object.

**SECT. II.** *And be it further enacted by the authority aforesaid,* That the commissioners before they proceed to sell any tickets in the said lottery, shall lay such scheme thereof before the Governor, as shall meet his approbation, and enter into bonds to him for the due and faithful performance of their duty, in selling the tickets, drawing the lottery and paying the prizes; and each of them before entering on the duties of his appointment, shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby intrusted to him; and two of the said commissioners at least shall attend each day's drawing of the aforesaid lottery, in the city of Philadelphia; and when the whole is completed, shall cause an accurate list of the fortunate numbers to be published in two of the newspapers printed in the city of Philadelphia, and the Crawford Weekly Messenger.

Commissioners to lay the scheme before the Governor, for his approbation. Further duties of the commissioners.

**SECT. III.** *And be it further enacted by the authority aforesaid,* That the said commissioners be and they are hereby authorized to settle and adjust all accounts which may be exhibited by any person or persons legally employed in carrying this act into effect; and that all expences necessarily attending the same, shall be paid by the aforesaid commissioners out of the proceeds of the lottery.

Authorized to adjust and pay all debts lawfully incurred under this act.

**SECT. IV.** *And be it further enacted by the authority aforesaid,* That John Brooks, Henry Hurst and Thomas R. Kennedy, be, and they are hereby appointed commissioners to receive and lay out the sums of money raised and appropriated by this act, for the purpose of bringing water into the town of Meadville by pipes, and of improving the streets and highways within the same; and when the money is delivered to them, they shall enter into bonds to the treasurer of the county of Crawford for

Commissioners appointed to expend the proceeds of the lottery.

Who shall enter into bonds &c.

Their compensation.

the faithful performance of their duty; and the said commissioners shall be allowed a reasonable compensation for their time and expences.

Manner in which the proceeds are to be applied.

SECT. V. *And be it further enacted by the authority aforesaid,* That one-half of the nett proceeds of the aforesaid lottery hereby is and shall be appropriated and applied for the purpose of bringing water into the town of Meadville by pipes; one-sixth part to improving the streets and highways within the same; one-sixth part to the funds of the seminary of learning within the same; and the remaining one-sixth part to the Meadville society for encouraging manufactures and the useful arts.

Commissioners of the lottery to pay the proceeds to the treasurer of Crawford county. Duties of the treasurer.

SECT. VI. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commissioners appointed for the management of the lottery when the same is drawn and published, to make out a true statement of the proceeds after the expences are paid; and the amount shall be paid over to the treasurer of the county of Crawford for the time being, who shall give his bond with conditions to whom or to what officers the same is to be paid; and it shall be his duty to pay the same in the proportions as specified and expressed in this act to the commissioners hereby appointed in the fourth section of this act, to the treasurer of the seminary of learning at Meadville, and to the treasurer of the Meadville society for encouraging manufactures and the useful arts, and their respective receipts shall be evidence of a full and complete discharge of the duty hereby assigned to the said treasurer.

What prizes shall be considered as relinquished.

SECT. VII. *And be it further enacted by the authority aforesaid,* That all prizes not demanded within twelve months next after the publication aforesaid, shall be considered as relinquished for the benefit of the aforesaid seminary of learning.

The court of quarter sessions to appoint auditors to settle the commissioners accounts.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the court of quarter sessions of the peace, be, and the same is hereby authorized and required whenever it shall be necessary, to appoint two judicious citizens, who with the county commissioners, shall be auditors to adjust and settle the accounts of the commissioners mentioned in the fourth section of this act; and the said auditors shall allow the said commissioners respectively such compensation for their services necessarily employed under this act, as the said auditors shall think just and reasonable; and it shall be the duty of the said auditors to report to the court of quarter sessions of the peace, whether the said commissioners have discharged the duties of their trust according to the true intent and meaning of this act,

which report if approved of, the court shall direct that the said commissioners be discharged from any further responsibility.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED — April, the tenth in the year one thousand eight hundred and seven.

THOMAS M'KEAN,

CHAPTER CXXIV.

*An ACT authorizing the commissioners of Delaware county to lay a tax on dogs.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

That whenever the grand jury of the county of Delaware, shall be of opinion, that the interest of the inhabitants of said county will be promoted by laying a tax on dogs, they shall signify the same in writing to the associate justices, who, if they concur in opinion with the grand jury, shall transmit the said writing with their approbation certified thereon, to the county commissioners, who shall be and hereby are empowered to lay a tax upon the owners of all dogs in their county, which shall be levied and collected in the following proportions; for one dog, twenty-five cents; each additional dog such person may own, fifty-cents; to be assessed and collected in the same manner, and by the same persons as county rates and levies are assessed and collected; and the money arising from said tax, shall be appropriated and set apart, as a fund to remunerate such inhabitants of the county as may have their sheep destroyed by dogs, or who may have their horses, cattle or swine bitten by mad dogs.

*Proceedings in taxing dogs.*

*Amount of tax.*

*Appropriated to remunerate the owners of sheep destroyed by dogs.*

SECT. II. *And be it further enacted by the authority aforesaid,* That whenever an inhabitant of the county of Delaware shall have one or more sheep destroyed by a dog or dogs, or horses, cattle or swine bitten by mad dogs, he or she may certify the same on oath or affirmation, to be taken before a justice of the peace for the township or district in which the said sheep were killed, or horses cattle or swine bitten by mad dogs, stating in said certificate according to the best of his or her knowledge and belief, whether the said sheep were destroyed, or horses cattle or swine bitten as aforesaid by his or her own dog or dogs, or by some other, and if the latter shall appear to be the case, the justice shall appoint two respectable freeholders of the neighbourhood to view and value under oath or affirmation the sheep so killed, or horses, cattle or swine so bitten as aforesaid, who are hereby empowered

*Proceedings in order to obtain such remuneration.*

and required to examine any person or persons upon oath or affirmation, touching the same, who they may think can throw light thereon, and they shall certify the result of their proceedings in writing under their hands, and upon the two certificates as aforesaid being produced to the county commissioners, they shall draw their warrant upon the treasurer of the county for the amount of said valuation; and the treasurer shall pay the same out of the fund arising from the tax aforesaid, if so much shall be in his hands; but if he shall not have a sufficiency for that purpose, then the said warrant shall be held by the person in whose favour it may be drawn, and shall have preference of all warrants of later date in payment, so soon as sufficient sum shall come into the fund to discharge the same: *Provided*, That nothing in this act contained, shall be construed to entitle any person to payment whose sheep may be destroyed, or horses, cattle or swine bitten as aforesaid, by his or her own dog or dogs.

What shall  
be deemed  
sufficient ev-  
idence of  
ownership  
subject to  
taxation, &c.

SECT. III. *And be it further enacted by the authority aforesaid*, That any dog keeping about or making his stay at any house, shall be taken and deemed sufficient evidence of ownership to enable the assessor to charge the person with the tax, at whose house the dog or dogs may be found, and nothing in this act contained shall be so construed as to prevent the owner or possessor of any dog from making full compensation for damage done by such dog, if the said owner or possessor had had sufficient knowledge of his or her dog or dogs making a former depredation of the like nature; and had neglected to kill or secure the said dog or dogs.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the tenth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXXV.

*An ACT making an appropriation for the improvement of certain roads in the western counties, and authorizing the courts of the respective counties to appoint fit persons to view and lay out the same.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same*, That the sum of three thousand dollars be, and the same is hereby appropriated for the purpose of opening and improving the roads to be viewed and laid out as herein provided for, to

Appropriation.

*wit*: From the town of Beaver, in the county of Beaver, to the town of Mercer, in the county of Mercer, four hundred and fifty dollars; and from the town of Pittsburgh, in the county of Allegheny, to the town of Butler, three hundred dollars; and from the town of Butler aforesaid, to the town of Mercer, in the county of Mercer, four hundred dollars; and from thence to the town of Meadville, in the county of Crawford, six hundred dollars; and from the town of Butler aforesaid, to the town of Franklin, in the county of Venango, four hundred dollars; and from thence to the town of Meadville aforesaid, four hundred dollars; and from thence to the town of Waterford, in the county of Erie, four hundred and fifty dollars; and the Governor is hereby authorized and required to draw his warrant on the State-treasurer, in favor of the respective county commissioners, for the several sums appropriated as aforesaid, in proportion to the length of the several roads which may lie within each county respectively, which length shall be ascertained as is herein after mentioned.

On what roads to be expended.

SECT. II. *And be it further enacted by the authority aforesaid,*

That the courts of quarter sessions of the peace, of the respective counties herein named, be, and they are hereby authorized and required to appoint three fit and judicious citizens for each of the aforesaid counties, one of whom at least for each county shall be a practical surveyor, to view and lay out a road from one point to another, each of whom shall take an oath or affirmation before one of the judges or a justice of the peace of the respective county for which any of such viewers may be appointed, that he will discharge the duties of the trust for which he has been appointed with fidelity, and that public utility shall be the governing motive in the discharge of his duty; and the said courts are hereby empowered to direct the viewers, who may be appointed under this act to lay out the said road to any width not exceeding one hundred feet in the whole length, or such parts thereof as the said courts shall think necessary.

The courts of quarter sessions authorized to appoint road viewers. Their qualification.

SECT. III. *And be it further enacted by the authority aforesaid,*

That the citizens who may be appointed as viewers for laying out the different roads herein before named, shall proceed in the following manner, *to wit*: The viewers of the adjoining counties shall meet at such a point as any of the said roads is intended to lead from, through, or to, and shall ascertain a right line from one point to another, and legibly mark the same, so as to serve for a line of experiment, which having done, the viewers shall begin at the most southern point and view the ground on each side of said line found, and lay out a road on said line so found, or as near thereto on either side, or passing over the same from one side to another, as they shall judge under all circumstances most proper; and they shall legibly mark a line to

In what manner the road viewers are to proceed in laying out the different roads.

designate the middle of the road which they lay out, and shall also designate on each side by a plain and distinguishable mark on a tree, or by the erection of a post sufficiently conspicuous, in every quarter of a mile of the distance at least where the road pursues a straight course so far or farther, and on each side at every point where any angle occurs in its course; and shall at the end of each mile, mark on a tree or erect a post on the right hand side of the road leading northwardly, on which the number of the miles shall be marked in such a manner, that the distance may be known from one principal point or town to another; and it shall be the duty of the said viewers to keep an accurate account of the distance from any principal point or town at which the viewers of any two adjoining counties may begin, to the line which divides any two of the said counties.

**SECT. IV.** *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said viewers as soon as may be after they have laid out any of the said roads respectively, to make out at least two accurate plans of each of the said roads, for each county, but within the limits of the same, with its several courses and distances, and such other appendages as they may deem necessary, one of which shall be deposited in the prothonotary's office, and the other in the commissioners' office of the respective county.

Drafts to be made of the different roads;

Where to be deposited.

**SECT. V.** *And be it further enacted by the authority aforesaid,* That it shall be the duty of the viewers that may be appointed under the authority of this act, and who may be mutually engaged in laying out any of the said roads, that after they shall have laid out the same, that they shall jointly certify duplicate copies of the number of miles and parts of a mile which lies within their respective counties, from one principal point or town to another; and it shall also be their duty to apportion the sums herein before appropriated for opening and improving the roads from one point to another respectively, in proportion to the number of miles and parts of a mile as is before ascertained and certified, which shall be inserted in the said duplicates, and which shall serve as a data for to enable the commissioners of the respective counties to draw their orders on the Governor to the amount of the sums herein before appropriated.

Further duties of the road viewers.

**SECT. VI.** *And be it further enacted by the authority aforesaid,* That the commissioners of the respective counties herein before named shall as soon as may be, after they have received the sums herein appropriated and apportioned as aforesaid, shall pay the same over to their respective county treasurers for the time being, and take receipts for the same, which said treasurers shall account for as other county stock; and it shall be the duty of the said treasurers respectively, to pay out the sums by them so receipted for, on warrants drawn by the county commissioners, at such

The commissioners of the respective counties to pay over the several sums appropriated to their county treasurers.

time or times and to such amount as they shall deem necessary, until the whole of the appropriations are disposed of, according to the true intent and meaning of this act.

Duty of the county treasurers.

SECT. VII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the commissioners of the respective counties herein named, or a majority of them respectively, to contract with any person or persons for improving said roads, or any part or parts thereof within the bounds of their respective counties, and to take such surety or sureties for the faithful performance of such contract or contracts as they or a majority of them shall deem necessary in their respective counties.

The commissioners of the respective counties authorized to contract for improving the different roads.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commissioners of the respective counties herein named, to render a just account of the expenditures of the appropriations made under this act, which the said commissioners may have received for the use of their respective counties, to the auditors who may be appointed for settling the accounts of the commissioners and treasurers of the respective counties, who are hereby authorized to adjust and settle the same, and to allow each of the said commissioners who may be necessarily employed in performing the duties required of them by this act, one dollar and thirty-three cents per day, to be paid out of the treasury of the respective counties.

Commissioners to account to the auditors.

Compensation of the commissioners.

SECT. IX. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commissioners of the respective counties herein named, and they are hereby authorized and required to settle and adjust the accounts of the viewers who may be appointed under the authority of this act, and allow each of them the sum of one dollar and fifty cents per day, for every day that they may be necessarily employed in performing the duties enjoined on them by this act, to be paid out of the treasury of their respective counties.

To adjust and pay the accounts of the viewers.

SECT. X. *And be it further enacted by the authority aforesaid,* That nothing in this or any other act, shall be construed to interfere with the provisions of the act entitled an act, to encourage the patenting of lands and for other purposes.

What this act is not to interfere with.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the tenth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.



## CHAPTER CXXVI.

*An ACT erecting a middle district of the Supreme court, and for other purposes.*

Counties of which the middle district is to consist.

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That a middle district of the supreme court of this Commonwealth shall be, and hereby is erected to consist of the counties of York, Adams, Dauphin, Cumberland; Franklin, Huntingdon, Mifflin, Northumberland, Luzerne, Lycoming, Centre, Clearfield, McKean, Potter and Tioga.

A Prothonotary to be appointed.

His duties and emoluments.

One term to be held annually in the middle district.

Of the jurisdiction of the court.

The prothonotaries of the other districts to furnish the Prothonotary of the middle district with a docket of all the actions pending and appertaining to said district.

To be paid for out of

**SECT. II.** *And be it further enacted by the authority aforesaid,* That there shall be a prothonotary appointed and commissioned for said court, who shall take the same oath or affirmation and give such bond and security as is by law required of the prothonotaries of the eastern and western districts of the supreme court, and shall perform similar duties in his district and be entitled to the same fees as are by law allowed for like services to the prothonotaries of either of said districts.

**SECT. III.** *And be it further enacted by the authority aforesaid,* That it shall be the duty of the justices of the supreme court to attend and hold one term annually, in and for the middle district at the borough of Sunbury in the county of Northumberland, on the first Monday of July, and the said term shall continue two weeks, if necessary, to do the business therein depending.

**SECT. IV.** *And be it further enacted by the authority aforesaid,* That the supreme court hereby directed to be holden, shall have and exercise the same powers, authority and jurisdiction in all cases and respects whatsoever, which are vested by the constitution and laws in the supreme court of this Commonwealth.

**SECT. V.** *And be it further enacted by the authority aforesaid,* That the prothonotaries of the eastern and western districts of the supreme court, at or before the first day of May, anno Domini, one thousand eight hundred and eight, be and they are hereby each of them empowered and directed to purchase a blank book for the middle district, and to employ a clerk to make out a docket in the same, for the middle district, containing a statement of all actions then pending and undetermined in their respective districts appertaining to the middle district, and shall each of them have the said dockets, together with the records, declarations and other papers respecting all such actions then pending and undetermined as aforesaid, ready to be delivered to the prothonotary of the supreme court for the middle district by the

first Monday of June, anno Domini, one thousand eight hundred and eight, and shall deliver the same to him accordingly; the price paid for the said dockets, and the wages of the clerks employed as aforesaid, to be paid to the prothonotaries of the eastern and western districts of the supreme court respectively, out of the state treasury, on warrants drawn by the Governor in the usual manner.

SECT. VI. *And be it further enacted by the authority aforesaid,* That from and after the first day of May, anno Domini, one thousand eight hundred and eight, all actions pending and undetermined in the eastern or western district of the supreme court, appertaining to the middle district, shall be considered as pending in the supreme court for the said middle district, and the judges of the said court shall, in all respects and in like manner, proceed to determine the same as though the said actions had originated in the supreme court for said middle district.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the prothonotary of the middle district of the supreme court, to be appointed as by this act is provided, shall be accountable to the prothonotaries of the eastern and western districts of said court, and to all others who may have any interest therein, for all fees which shall have accrued upon the several actions in their respective courts, pending prior to this act taking effect, and the same pay over as shall come to his hands.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the last Monday of July in each and every year hereafter, shall be a common day of return for the supreme court of the eastern district, at which time all writs and process may be returnable in the same manner as at the regular terms of said court, and may also bear teste on the said day: *Provided,* That the same be sued out at like periods of time, previous to the days hereby made return days of the said courts respectively, and like directions be observed and performed as are made necessary by law, in writs, process or other proceedings, returnable to the terms of the said court; and it shall be the duty of one of the judges of the said Court to attend on the said last Monday of July at the place assigned by law for holding the terms of the said court, to grant rules and to make all necessary orders touching any suit, action, writ of error, process, pleadings or proceedings returned to or depending therein, preparatory to the hearing, trial or decision of such action, suit, writ of error, process, pleadings or proceedings.

SECT. IX. *And be it further enacted by the authority aforesaid,* That the first court to be holden in Sunbury agreeably to the provisions of this act, shall commence on the first Monday of July, Anno Domini, one thousand eight hundred and eight.

SECT. X. *And be it further enacted by the authority aforesaid,*

the State treasury.

When actions appertaining to the middle district, shall be considered as pending therein.

The prothonotary of the middle district to account to the prothonotaries of the eastern and western district &c.

Of a test and return day for the Supreme court.

Made the duty of one of the judges to attend on said day to grant rules make the necessary orders &c.

First term within the middle district.

Repealing  
clause.

That so much of any law or laws as is by this act altered and supplied, be, and the same is hereby repealed.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the tenth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

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## CHAPTER CXXVII.

*An ACT for the relief of the representatives of John Fromberger, deceased.*

**W**HEREAS Thomas Laurence, James Budden and John Dunlap, of the city of Philadelphia, purchased of the agents for forfeited estates, a tract of land in the township of the Northern Liberties, containing about thirty acres, more or less, confiscated to this Commonwealth, as the estate of a certain Joseph Griswold, which said tract of land came by divers mesne conveyances to John Fromberger, of the city of Philadelphia, in fee, who on the fourth day of February, anno Domini, one thousand eight hundred and two, was regularly evicted therefrom by reason of a title paramount, in a certain Joseph Griswold, of the city of New-York: *And whereas*, it is just and reasonable that the representatives of the said John Fromberger, who is now deceased, should be relieved from the loss arising from the failure of the title from this Commonwealth: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the Governor be, and he is hereby authorized and directed to draw his warrant upon the treasury, in favor of John Gryner and Jacob Chrystler, administrators to the estate of John Fromberger, deceased, for the sum of one thousand dollars, as a full compensation to the representatives of the said Fromberger, for all losses, by reason of his eviction from a certain tract of land in the township of the Northern Liberties, containing about thirty acres, and derived by him from a sale by the agents

The governor authorized to draw his warrant for \$1000 in favour of the representatives of John Fromberger, &c.

of forfeited estates, which said warrant shall be paid out of any unappropriated monies in the treasury.

SIMON SNYDER, *Speaker*

*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the tenth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXXVIII.

*An ACT to raise by way of lottery a sum of money to enable the trustees of the Protestant Episcopal congregation of the borough of Lancaster, to repair their steeple and house of worship.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That David R. Barton, George Slough, Edward Brien, William Hamilton, Richard Gray and William P. Attlee, be, and they are hereby appointed commissioners to raise by way of lottery, a sum of money not exceeding four thousand five hundred dollars, to be by them applied to the repairing of the Protestant Episcopal church and steeple thereunto belonging, in the borough of Lancaster. Commissioners of the lottery. Sum to be raised. How to be applied.

SECT. II. *And be it further enacted by the authority aforesaid,* That the said commissioners before they proceed to sell any tickets in the aforesaid lottery, shall lay such scheme thereof before the Governor, as shall meet his approbation, and enter into bonds to him for the due performance of their duty, in selling the tickets, drawing the lottery and paying the prizes; and each of them before entering on the duties of his appointment, shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby intrusted to him; and any two or more of said commissioners shall attend at the drawing of said lottery, and when completed, they shall cause an accurate list of the fortunate numbers to be published in the English and German papers printed in the borough of Lancaster, and shall pay and discharge all the prizes that may be demanded by persons legally entitled thereto, within three months after the drawing shall be completed. Commissioners to lay the scheme before the governor for his approbation. And other duties of the commissioners.

SECT. III. *And be it further enacted by the authority aforesaid,* That the said commissioners be, and they are hereby authorized to settle and adjust all accounts that may be exhibited by persons legally employed in executing the provisions of this act; and that all expences necessarily attending the same, shall be Authorized to adjust and pay all debts lawfully incurred under this act.

paid out of the proceeds of the said lottery, by the aforesaid commissioners.

What prizes  
to be con-  
sidered re-  
linquished.

SECT. IV. *And be it further enacted by the authority aforesaid,* That all prizes not demanded within twelve months after the publication aforesaid, shall be considered and deemed as relinquished for the use and benefit of said church.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the tenth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXXIX.

*An ACT to provide for the erection of a house for the employment and support of the poor in the county of Bucks.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

County com-  
missioners  
&c. of Bucks  
county em-  
powered to  
cause a poor  
house to be  
erected.

Persons to  
be chosen to  
fix on and  
purchase a  
site for the  
poor house.

Their duties.

Directors of  
the poor to  
be elected.

That the commissioners of the county of Bucks shall, with the consent of the court of quarter sessions and grand jury of the said county, have power to direct that a house for the employment and support of the poor, shall be erected therein; and as soon as they shall have so determined they shall give notice thereof to the sheriff of their county, who thereupon shall give notice by public advertisements, that the electors of the said county of Bucks, shall at the general election next ensuing, and in the manner prescribed for the election of members of the house of representatives of this Commonwealth, elect seven reputable citizens of the said county, whose duty it shall be, or a majority of them, on or before the first day of May next, after their election, to determine upon and purchase a site on which the said buildings shall be erected; and it shall be lawful for the said seven citizens or a majority of them, to take conveyances therefor in the name of, and for the use of the corporations mentioned in the third section of this act, and they shall certify their proceedings therein, under their hands and seals to the clerk of the court of quarter sessions of the county of Bucks, to be filed in his office; and the said electors shall also elect three reputable citizens of the said county, in like manner, to be directors of the poor and of the house of employment for the county of Bucks, for the ensuing year; and the judges of the election of the said county, shall immediately on receiving the returns from the several election districts, and casting up the number of votes therein, or within three days thereafter certify under their

hands and seals, the names of the persons so elected, to fix on a proper site for the said building, and the names of the directors so chosen to the clerk of the court of quarter sessions of the said county, who shall file the said certificate in his office, and forthwith give notice in writing to the said persons and directors of their being elected; and the said directors shall meet at the court-house in the said county, on the first Monday in November next ensuing their election, and divide themselves by lot into three classes, the place of the first to be vacated at the expiration of the first year, of the second at the expiration of the second year, and of the third at the expiration of the third year, so that those who shall be chosen after the first election, and in the mode above described, may serve for three years, and one third be chosen annually.

Certificate.

And notice of their election.

Meeting of the directors and rotation of service.

SECT. II. *And be it further enacted by the authority aforesaid,* That every director elected in manner aforesaid, or appointed as is directed by the twelfth section of this act, shall within ten days after he is notified of such election or appointment, and before he enters on the duties of the said office, take an oath or affirmation, which any justice of the peace of the said county is hereby authorised to administer, that he will discharge the office of director of the poor for the said county, truly, faithfully and impartially to the best of his knowledge and ability; and in case of neglect or refusal to take the said oath or affirmation within the time aforesaid, he shall forfeit and pay the sum of ten dollars, for the use of the poor of the said county, which fine shall be recovered by the directors for the time being, as debts of equal amount are, or shall be by law recoverable.

Qualification of directors, and penalty for neglect or refusal to qualify.

SECT. III. *And be it further enacted by the authority aforesaid,* That the said directors shall for ever hereafter, in name, and in fact, be one body politic and corporate in law, to all intents and purposes whatsoever, relating to the poor of the county of Bucks, and shall have perpetual succession, and may sue and be sued, plead and be impleaded by the name, style and title, of "The Directors of the Poor and of the House of Employment for the county of Bucks;" and by that name shall and may receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of ten thousand dollars, and any goods and chattels whatsoever, of the gift, alienation or bequest of any person or persons whatsoever, to purchase, take and hold any lands and tenements within their county, in fee-simple or otherwise, and erect suitable buildings for the reception, use and accommodation of the poor of said county, to provide all things necessary for the reception, lodging, maintenance and employment of the said poor, to appoint a treasurer annually, who shall give bond with sufficient surety for the faithful discharge of the duties of his office, and that at the expiration thereof, he will

Directors incorporated.

Style of the corporation. Its immunities and duties.

Treasurer of the corporation, his qualification and duty.

Steward,  
matron,  
Physician,  
&c.  
Of binding  
out apprentices.

well and truly pay and deliver over to his successor, all monies, bonds, notes, books, accounts and other papers, to the said corporation belonging, which shall then be remaining in his hands, custody and possession, to employ and at pleasure remove a steward or stewards, matron or matrons, physican or physicians, surgeon or surgeons, and all other necessary attendants for the said poor respectively; to bind out as apprentices, so that such apprenticeship may expire, if males, at or before the age of twenty-one years, if females, at or before the age of eighteen years, such poor children as shall come under their notice, or as may now be bound apprentices by the overseers of the poor, and to exercise and enjoy all such other powers now vested in the overseers of the poor, as are not herein granted or supplied; and the said directors shall be empowered to use one common seal in all business relating to the said corporation, and the same at their pleasure to alter or renew.

Estimate to  
be made of  
the expence  
of erecting  
the building,  
&c.

How the  
money is to  
be raised  
for defraying  
the same.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the said directors, as soon as may be after their election and organization as aforesaid, shall make an estimate of the probable expence of purchasing the lands, erecting the necessary buildings and furnishing the same, and maintaining the poor within the said county for one year; whereupon the county commissioners of the said county shall, and they are hereby authorized and required, to increase the county-tax by one-fourth part of the sum necessary for the purposes aforesaid, and shall procure on loan on the credit of the taxes herein directed to be levied, the remaining three-fourths thereof, to be paid in instalments with interest out of the county taxes: *Provided always,* That if such loan cannot be made, the whole amount of the sum necessary for the purposes aforesaid, or such part thereof as may be deemed proper, shall immediately be added to the county tax; to be paid by the county treasurer to the directors aforesaid, on orders drawn in their favour by the county commissioners, as the same may be found necessary.

Directors to  
furnish the  
county com-  
missioners  
annually,  
with an es-  
timate of the  
probable ex-  
pences of the  
poor house,  
&c.

To account  
annually  
with the  
auditors.

SECT. V. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said directors, on or before the first day of November in each and every year, to furnish the commissioners of said county, with an estimate of the probable expence of the poor and poor-house for one year; and it shall be the duty of said commissioners to assess, and cause to be collected the amount of said estimate, which shall be paid to said directors by the county treasurer, on warrants drawn in their favour by the county commissioners as the same may be found necessary; and the said directors shall at least once in every year, render an account of all the monies by them received and expended to the auditors appointed to audit, and settle the county accounts subject to the same penalties, rules and regulations as are by law directed respecting the accounts of the county

commissioners; and shall also, at least once in every year, lay before the court of quarter sessions and grand jury of the said county, a list of the number, ages and sexes, of the persons maintained and employed in the said house of employment, or supported or assisted by them elsewhere, and of the children by them bound out to apprenticeships as aforesaid, with the names of the masters or mistresses, and their trade, occupation or calling; and shall at all times when thereunto required, submit to the inspection and free examination of such visitors as shall from time to time be appointed by the court of quarter sessions of the said county, all their books and accounts, together with the rents, interests and monies, payable and receivable by the said corporation, and also an account of all sales, purchases, donations, devises and bequests, as shall have been made by or to them.

Exhibit to the court of Quarter sessions a return of the persons in the poor house, &c.

SECT. VI. *And be it further enacted by the authority aforesaid,* That as soon as the said buildings shall be erected, and all necessary accommodations provided therein, notices shall be sent, signed by any two of the said directors, to the overseers of the poor of the several townships of the said county of Bucks, requiring them forthwith to bring the poor of their respective townships to the said house of employment, which order the said overseers are hereby enjoined and required to comply with, or otherwise to forfeit the cost of all future maintenance, except in cases when by sickness or other sufficient cause, any poor person cannot be removed, in which case the said overseers shall represent the same to the nearest justice of the peace, who being satisfied of the truth thereof, shall certify the same to the said directors, and at the same time issue an order under his hand and seal to the overseers, directing them to maintain such poor, until such time as he or she shall be in a situation to be removed, and then to convey the said pauper, and deliver him or her to the steward or keeper of the said house of employment, together with the said order, and the charge and expence of such temporary relief, and of such removal, shall be paid by the said directors at a reasonable allowance.

How and when the poor are to be removed to the building erected in pursuance of this act.

Exceptions as to the sick, and how they are to be provided for.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the said directors shall from time to time, receive, provide \*for and employ, according to the true intent and meaning of this act, all such poor and indigent persons as shall be entitled to relief, or shall have gained a legal settlement in the said county of Bucks, and shall be sent there by an order or warrant for that purpose under the hands and seals of any two justices of the peace, directed to any constable of the said county of Bucks, or to the overseers of the proper township in any other county of this Commonwealth, and to the said directors of the poor and of the house of employment of the said county of Bucks, and

The directors required to provide for, and employ the poor.



Lord, one thousand seven hundred and eighty, purchased at public sale of the agents appointed for the sale of confiscated estates, a message and lot of fifty-eight acres and thirty-five perches of land, situate in the Northern Liberties in the county of Philadelphia, as the estate of Joseph Griswold, which aforesaid lot of land with the appurtenances was afterwards purchased of the aforesaid Thomas Laurence, James Budden and John Dunlap, by Charles Thompson, in anno Domini one thousand seven hundred and eighty-three, the then Secretary of Congress, subject to the payment of thirty bushels of wheat annually, to the trustees of the University of Pennsylvania: *And Whereas,* The said Charles Thompson was on the fourteenth day of April, anno Domini one thousand eight hundred and six, by due course of law, evicted from the premises by a title paramount in a certain Joseph Griswold, a citizen of New York: And whereas it is just and reasonable, that the said Charles Thompson should be indemnified for the loss he has sustained in consequence of the said eviction from his property: Therefore,

*SECTION I. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the*

The Governor authorized to draw his warrant in favour of C. Thompson for \$2000, &c.

Governor of this commonwealth, be, and he is hereby authorized and directed to draw his warrant on the State-treasurer in favour of Charles Thompson of the county of Montgomery, and state of Pennsylvania, for the sum of two thousand dollars, as a full compensation for all costs and damages which he has sustained in consequence of his being evicted by due course of law from a certain lot of land with the appurtenances, situate in the township of the Northern Liberties and county of Philadelphia, containing fifty-eight acres and thirty-five perches which was purchased by the said Charles Thompson, and was held by him under a title derived from the commonwealth, until the eviction aforesaid.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the tenth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

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## CHAPTER CXXXI.

*An ACT declaring the middle of the river Monongabela, the division line between the counties adjoining the same.*

*SECTION I. BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in Gen-*

*General Assembly met, and it is hereby enacted by the authority of the same,*  
 That the middle of the river Monongahela shall be, and is hereby declared the division line between the counties adjoining the same: *Provided nevertheless,* That when an offence may be committed on said river, and it may be doubtful on which side of said line the offence was committed, the offender or offenders may be prosecuted in either of the counties adjoining said river, in which he, she or they may be found.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—April the tenth, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXXXII.

*An ACT to provide for the erection of a poor house, for the better relief and employment of the poor in the townships of Oxford and Lower Dublin, in the county of Philadelphia.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* Poor houses  
 That there shall be a poor house erected in the townships of to be erect-  
 Oxford and Lower Dublin, in the county of Philadelphia, for ed within  
 the more convenient and comfortable accommodation and the town-  
 employment of the poor, settled in either of the townships afore- ships of Ox-  
 said, where they shall be supported at the common expence of ford and  
 the same, without regard to residence or settlement in either of Lower Dub-  
 the particular townships. lin in the  
 county of  
 Philadel-  
 phia.

SECT. II. *And be it further enacted by the authority aforesaid,* Four persons  
 That there shall be eight citizens and inhabitants of the said from each  
 townships: that is to say, four out of each township, appointed township to  
 as hereinafter mentioned, for directors of the poor, and of the be chosen as  
 house of employment of said district, who shall for ever there- directors of  
 after in name and in fact, be one body politic and corporate in the poor.  
 law to all intents and purposes whatsoever relating to the poor  
 of said townships; and shall have perpetual succession, and may Directors  
 sue and be sued, plead and be impleaded, by the name, style and incorpo-  
 title, of "The Directors of the Poor, and of the House of Em- rated.  
 ployment for the Townships of Oxford and Lower Dublin, of Style of the  
 Philadelphia County;" and by that name shall and may receive, corporation.  
 take, hold and possess, any lands, tenements and hereditaments Its immuni-  
 whatsoever, not exceeding the yearly value of five thousand dol- ties and pow-  
 ers:

To hold, real estate, &c. lars, and any real estate, goods and chattels whatsoever, of the gift, alienation or bequest of any person or persons whomsoever, and purchase, take and hold, any lands and tenements in fee-simple or otherwise, within the said townships, and erect suitable buildings thereon for the reception, use and accommodation of the poor of their respective townships, and provide all things necessary for the boarding, lodging, maintenance and employment of the said poor; they shall appoint a treasurer annually, who shall give bond with sufficient security for the faithful discharge of the duties of his office, and that at the expiration thereof, he will well and truly pay and deliver over to his successor in office, all monies, bonds, notes, books, accounts and other papers to the said corporation belonging, which shall then be remaining in his hands, custody and possession; shall employ and at pleasure remove, a steward or stewards, matron or matrons, physician or physicians, surgeon or surgeons, and all other necessary attendants for the said poor respectively; they shall have the same power to bind out as apprentices, such poor children as shall come under their notice, as the overseers of the poor with the approbation of any two justices of the peace now possess, so that such apprenticeship may expire, if males at or before the age of twenty-one years, if females at or before the age of eighteen years; and shall appoint a collector or collectors of such tax or taxes as they, with the approbation of four justices of the peace, two of whom shall reside in each township, may judge it expedient to levy and raise within the said townships as hereinafter mentioned, which collector or collectors shall be subject to the same penalties, and entitled to the same compensation as are by law directed for the collectors of county taxes, and to exercise and enjoy all such powers now vested in the overseers of the poor, as are not herein granted or supplied; and the said directors shall be empowered to use one common seal, in all business relating to the said corporation, and the same at their pleasure to alter and renew.

Provide maintenance and employment for the poor. Appoint a treasurer, &c.

Employ stewards, matrons, physicians, &c.

Bind out as apprentices, poor children.

Appoint collectors of taxes, &c.

And use one common seal.

**SECT. III.** *And be it further enacted by the authority aforesaid,* That the electors of the said townships, qualified to vote for members of the house of representatives, shall meet at the house of Christopher Snyder, sign of the wheat sheaff, on the last Saturday in April, one thousand eight hundred and seven, of which time and place it shall be the duty of the overseers of the poor of said townships, to give public notice, and after appointing one citizen from each of said townships to preside as judges of the election, shall elect by ballot, four citizens and inhabitants of each of said townships, to serve as directors of the poor, and or the house of employment of the said townships; whose duty it shall be to determine and fix upon the place on which the said building shall be erected, and prosecute the same as soon as con-

Manner of electing the directors.

Who are to fix on the site for the public buildings, &c.

venient; and the said directors shall meet and divide themselves by lot into two classes, paying regard to keeping up an equal representation in the two townships, the office of the first class to expire at the appointment of directors in the year one thousand eight hundred and eight, as hereinafter directed, and the office of the second class to expire in like manner, in the year one thousand eight hundred and nine, so that one half of the number of directors may be appointed annually, in the mode hereinafter prescribed.

Meeting of the directors and rotation of service.

**SECT. IV.** *And be it further enacted by the authority aforesaid,* That the electors of the said townships qualified to vote for members of the house of representatives, shall at the general election to be held in the year one thousand eight hundred and eight, elect two citizens and inhabitants of each of the townships; and the judges of election for said townships shall certify under their hands and seals the names of the directors so chosen, to the clerk of the court of quarter sessions of the county, who shall file the said certificate in his office, and forthwith give notice in writing to the said directors of their being elected, who shall succeed to the office of director of the poor of the said house of employment, and shall continue in office for the term of two years thence next ensuing.

Of future elections for directors.

Certificate and notice of the election.

**SECT. V.** *And be it further enacted by the authority aforesaid,* That every director appointed in manner aforesaid, or as is directed by the fourteenth section of this act, shall within ten days after he is notified of such appointment, and before he enters on the duties of the said office, take an oath or affirmation, which any justice of the peace of the said district is hereby authorized to administer, that he will discharge the office of director of the poor for the said district, truly, faithfully and impartially to the best of his knowledge and ability; and in case of neglect or refusal to take the said oath or affirmation within the time aforesaid, he shall forfeit and pay any sum not exceeding ten dollars, for the use of the institution, which fine shall be levied and recovered by the directors for the time being, as debts of equal amount are or shall be by law recoverable.

Qualifications of directors, and penalty for neglect or refusal to qualify.

**SECT. VI.** *And be it further enacted by the authority aforesaid,* That the above named directors as soon as may be after the passing of this act, and their being organized as aforesaid, shall make an estimate of the probable expence of purchasing the lands, erecting the necessary buildings and furnishing the same, for defraying the expences whereof, they are hereby authorized to procure on loan, on the credit of the institution, and of the taxes hereby directed to be levied within the said townships, any sum of money not exceeding five thousand dollars, for refunding of which in instalments with interest, and for all other necessary expences and disbursements in com-

Estimate to be made of the expence of erecting the buildings, &c. How the same is to be defrayed.

pleting and prosecuting the institution and supporting the poor, the directors for the time being are hereby authorized to levy a tax or taxes, to be rated according to the county assessments, in an equal proportion in each township, but not to exceed one cent in the dollar in any one year.

Limitation  
of taxes.

Proceedings  
of the direc-  
tors in laying  
assessments.

Which are  
to be fairly  
entered in a  
book.

Which is to  
be open to  
inspection,  
&c.

Directors to  
account an-  
nually, to au-  
ditors ap-  
pointed by  
the town-  
ships.  
Publish a re-  
turn of the  
persons in  
the poor  
house ;  
or support-  
ed else-  
where, &c.

SECT. VII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the directors aforesaid, or a majority of them, having first obtained the approbation of four justices of the peace, two of whom shall reside in each township, to make and lay a rate or assessment not exceeding seventy-five cents in every hundred dollars upon the value of all the real and personal estates within the said townships ; and in laying the rates or assessments as aforesaid, they shall be guided by the county assessment on the said townships, made or to be made on other occasions, and shall enter such rates fairly in a book, of which a duplicate signed by the said directors or a majority of them, shall be delivered to the justices aforesaid, who shall allow the same if they find it just and reasonable, without fee or reward ; and any inhabitant of the said townships shall be permitted to inspect the rates at all reasonable times without fee or reward ; and the directors shall give copies on demand of any citizen or citizens, inhabitants of the said townships, being paid for the same at the rate of four cents for every twenty-four names ; and if any director shall refuse the inspection, or to grant copies as aforesaid, for every such offence he shall forfeit the sum of three dollars for the use of the institution, to be recovered as debts of a like amount are by law recoverable.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the said directors shall at least once in every year, render an account of the monies by them received and expended, to auditors appointed by the said townships to audit and settle the same, subject to the same penalties, rules and regulations as are by law directed respecting the accounts of the county commissioners ; and shall also once a year publish a list of the number, ages and sexes of the persons maintained and employed in the said house of employment, or supported or assisted by them elsewhere, and of the children by them bound out to apprenticeships as aforesaid, with the names of the masters or mistresses, and their trade, occupation or calling ; and shall at all times when thereunto required, submit to the free inspection and examination of such visitors as may from time to time be appointed by the court of quarter sessions of the said county, all their books and accounts, together with the rents, interests and monies payable and receivable by the said corporation with an account of all sales, purchases, donations, devises and bequests as shall have been made by or to them.

SECT. IX. *And be it further enacted by the authority aforesaid,*

That the electors of each of the said townships shall on the third Friday in March in each and every year, between the hours of three and six o'clock in the afternoon, elect by ballot one reputable citizen as an auditor, to settle and adjust the accounts of the directors and treasurer; and the said auditors shall publish a statement thereof by two or more written or printed advertisements, set up in some of the most public places in each of the said townships.

Auditors to be chosen.

Their duties.

**SECT. X.** *And be it further enacted by the authority aforesaid,* That as soon as the said buildings shall be erected and all necessary accommodations provided therein for the reception of the poor, notices shall be sent, signed by any two of the directors to the overseers of the poor of the said townships, requiring them forthwith to bring the poor of their respective townships, to the said house of employment, which order the said overseers are hereby enjoined and required to comply with, or otherwise to forfeit the cost of all future maintenance; except in cases where by sickness or other sufficient cause, any poor person cannot be removed, in which case the said overseers shall represent the same to one of the justices of the peace, who being satisfied of the truth thereof, shall certify the same to the said directors, and at the same time issue an order under his hand and seal to the said overseers, directing them to maintain such poor until such time as he or she shall be in a situation to be removed, and then to convey the said pauper, and deliver him or her to the steward or keeper of the said house of employment, together with the said order, and the charge and expence of such temporary relief, and of such removal, shall be paid by the said directors at a reasonable allowance.

When and how the poor of said townships are to be removed to the poor house.

Exception as to the sick and how they are to be provided for.

**SECT. XI.** *And be it further enacted by the authority aforesaid,* That the said directors shall from time to time receive, provide for, and employ according to the true intent and meaning of this act, all such poor and indigent persons as shall be entitled to relief or shall have gained a legal settlement in the said townships, as shall be sent there by an order or warrant for that purpose, under the hands and seals of any two justices of the peace, directed to any constable of the said townships, or to the overseers of the poor of the proper township, in any county in this Commonwealth, and to the said directors of the poor and of the house of employment; and the said directors are hereby authorized when they shall deem it proper and convenient so to do, to permit any poor person or persons to be maintained elsewhere.

The directors required to receive, provide for, and employ the poor, &c.

**SECT. XII.** *And be it further enacted by the authority aforesaid,* That the said directors or any five of them, who shall be a quorum in all cases to do business, shall have full power to make and ordain all such bye-laws, rules and regulations as they shall think proper, convenient and necessary for the direction, gov-

Directors empowered to make bye-laws, &c.

ernment and support of the poor and house of employment aforesaid, and of the revenues thereunto belonging, and of, or respecting all such persons as shall come under their care or cognizance : *Provided*, The same be not repugnant to this law or any other of the laws of this state or of the United States.

**Proviso.**

**SECT. XIII.** *And be it further enacted by the authority aforesaid,*

The directors to visit the house of employment monthly, &c. That the said directors or a quorum of them, shall, and they are hereby enjoined and required to meet at the said house of employment, at least once in every three months, and a committee of four of their number, once every month, and oftener if necessary, and visit the apartments, and see that the poor are comfortably supported, provided for, and attended to, and hear all complaints and redress or cause to be redressed, all grievances which may happen by the neglect or misconduct of any person or persons in their employment or otherwise.

**SECT. XIV.** *And be it further enacted by the authority aforesaid,*

How vacancies in the direction are to be supplied. That in case of any vacancy, by death, resignation, removal, neglect, refusal or otherwise of any of the said directors, the remaining directors shall fill such vacancy by appointing a citizen and inhabitant of the particular township in which such vacancy happened, under the same penalty as is provided for in the fifth section of this act, to serve until the next annual appointment, when another director shall be nominated and appointed in manner aforesaid, to serve for the period which such director was to have served if no such vacancy had happened.

**SECT. XV.** *And be it further enacted by the authority aforesaid,*

How and when monies remaining in the hands of the overseers of the poor are to be disposed of, and the office abolished. That all the monies which shall be remaining in the hands of the overseers of the poor of the said townships, at the time when the poor shall be removed to the house of employment as aforesaid, shall be paid over by the said overseers to the supervisors of the highways of their respective townships, to be by them applied towards repairing the roads therein ; and the office of overseer of the poor within the said townships, shall from thenceforth be abolished.

**SECT. XVI.** *And be it further enacted by the authority aforesaid,*

Repealing clause. That so much of the laws of this Commonwealth relating to the poor, as is by this act, altered or supplied, be, and the same is hereby repealed.

**SECT. XVII.** *And be it further enacted by the authority aforesaid,*

Certain powers and duties heretofore conferred and imposed on the overseers of the poor, transferred to the supervisors of the highways, within said townships. That the powers conferred and the duties imposed on the overseers of the poor, in and by an act to empower the overseers and guardians of the poor of the several townships within this Commonwealth, to recover certain fines, penalties and forfeitures, and for other purposes, are hereby conferred and imposed on the supervisors of the highways within the said townships, and that the justices of the peace and sheriff of the county are hereby required and enjoined to pay to the said supervisors, to be by them applied to

the repair of the highways the aforesaid fines, penalties and forfeitures, within the time and in the manner prescribed by the said act, for the payment thereof to the overseers of the poor, and to give notice of the receipt thereof to the said supervisors within the time and in the manner aforesaid, and that for any neglect or refusal to perform any of the duties enjoined on them by the said act, the said justices of the peace and sheriff shall be subject to all the fines, penalties and forfeitures, to which the justices of the peace and sheriffs in other parts of the county are by the said act subject and liable.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—April the eleventh, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

CHAPTER CXXXII.

*An ACT to render perpetual a certain act respecting the Philadelphia and Lancaster Turnpike Road.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

That the act, entitled “ A further supplement to the act, entitled “ An act for making an artificial road from the city of Philadelphia, to the borough of Lancaster, for the more effectual preventing evasions of the salutary regulations intended in and by the act for making an artificial road from the city of Philadelphia, to the borough of Lancaster,” passed on the fourth day of April, in the year of our Lord, one thousand seven hundred and ninety-eight, be and the same hereby is, except so much thereof as limits its continuance to the term of two years, rendered perpetual. The act referred to, rendered perpetual.

SECT. II. *And be it further enacted by the authority aforesaid,* That instead of the power and authority given and allowed to the president, managers and company of the Philadelphia and Lancaster turnpike road, in and by the thirteenth section of the act, entitled “ An act to enable the Governor of this Commonwealth, to incorporate a company for making an artificial road from the city of Philadelphia, to the borough of Lancaster,” to seize and take by any of their officers and servants, one of the horses attached to any waggon or other carriage which shall be drawn along the said road contrary to the provisions and intentions of the said section, any person or persons offending against the said section, or transgressing against the Commutation of the penalty allowed, for offending against the 13th. Sect. of the principal act.



and pay to the president, managers and company aforesaid, for every offence, the sum of ten dollars, to be recovered as other penalties are directed to be recovered in the said recited act, or by distress and sale according to law, in case of neglect or refusal forthwith to pay the said penalty ; and the power and authority to take and seize a horse as is provided and directed in and by the said thirteenth section, is hereby annulled and made void: *Provided nevertheless*, That no part of this act shall have any force or effect until the said president, managers and company shall in writing under their corporate seal, to be deposited in the office of the secretary of this Commonwealth, declare their consent and agreement hereto ; and as soon as the said company shall so consent and agree, the Governor shall declare this act to have full operation and effect.

When this act is to have effect.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate*.

APPROVED—the eleventh day of April, in the year one thousand eight hundred and seven.

THOMAS McKEAN.

## CHAPTER CXXXIV.

*An ACT for the relief of the supervisors of Cambria and Allegheny townships, in Cambria county.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same*, That in the next road tax which shall be assessed after the passing of this act, in the townships of Cambria and Allegheny, in Cambria county, by the supervisors thereof respectively, it shall and may be lawful for them to assess and collect the sum of eighty-four dollars and eighty-five cents, and as soon as the sum is collected, pay it over to the supervisors for the years eighteen hundred three and four, to indemnify them for monies advanced in the years aforesaid.

An addition to be made to the next road tax, in the townships of Cambria and Allegheny, Cambria county, for supplying a deficiency, in the years 1803 and 4.

Similar provision as to the township of Allegheny, in the counties of Cambria and Huntingdon.

SECT. II. *And be it further enacted by the authority aforesaid*, That in the next road tax which shall be assessed after the passing of this act, in the townships of Allegheny, in the counties of Cambria and Huntingdon, by the supervisors thereof respectively, it shall and may be lawful for them to collect the sum of two hundred and eight dollars and thirty-eight cents: And as soon as the sum is collected, pay it over to the supervisors

for the years eighteen hundred three and four, to indemnify them for monies advanced in the years aforesaid.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the eleventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXXXV.

*An ACT directing the distribution of the Journals printed in the English language, and for other purposes.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

That the secretary of the Commonwealth is hereby authorized and required to distribute the journals printed in the English language in the following manner, thirty copies of the journal of each House to the clerk of the Senate, for the use of the Senate and the members thereof; one hundred of each to the clerk of the House of Representatives, for the use of the House and the members thereof respectively; to the Governor, the Secretary of the Commonwealth, to the Secretary of the Land-office, Surveyor-general, Receiver-general, Comptroller-general, Register-general, State-treasurer, and Master of the Rolls, to each one copy of the journal of each House respectively; and shall distribute the residue to the commissioners of the several counties, in the following manner: to wit, for the city and county of Philadelphia, sixty-five copies of the journals of each House; for Bucks forty-one, Chester forty-nine, Lancaster forty-one, York thirty-one, Cumberland thirty-three, Berks twenty-six, Northampton twenty-six, Bedford twenty-six, Northumberland thirty-three, Westmoreland twenty-six, Fayette twenty-six, Franklin twenty-six, Montgomery forty-one, Dauphin twenty-six, Luzerne twenty-six, Huntingdon twenty-six, Washington thirty, Allegheny twenty-one, Mifflin twenty-one, Delaware thirty, Lycoming nineteen, Somerset nineteen, Greene sixteen, Wayne thirteen, Adams twenty, Centre seventeen, Beaver sixteen, Butler sixteen, Mercer sixteen, Crawford sixteen, Erie sixteen, Warren eleven, Venango thirteen, Armstrong thirteen, Indiana thirteen, and Cambria eleven copies of each; for to be distributed by the said county-commissioners respectively, in the following manner; to the several constables of the proper county to be left by them at the house where township elections are annually held, for the use of the electors, and the remainder shall

How the English journals are to be distributed.

be distributed among the supervisors of the highways, and to such other persons throughout the county as they shall conceive will use the same for the information of the people.

Part of a former law repealed.

SECT. II. *And be it further enacted by the authority aforesaid,* That so much of the act, entitled "An act to provide for the distribution of the Laws and Journals of the General Assembly of this Commonwealth;" passed the sixth day of April, one thousand eight hundred and two, as relates to the distributing the Journals, be, and the same is hereby repealed.

How certain extra copies of the laws are to be distributed.

SECT. III. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the secretary of the commonwealth, to distribute the extra copies of the laws now in his office, passed in the sessions of one thousand eight hundred and three, and one thousand eight hundred and four, and yearly thereafter, to the commissioners of the different counties, in the same manner and in the same proportions that this act directs the journals to be distributed; and it shall be the duty of the commissioners of each county, to deliver one copy of the laws of each session of the legislature, to the supervisors in each township for their use, and to be delivered over by them to their successors in office.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the eleventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXXXVI.

*An ACT for the further establishment and regulation of Election districts.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the township of Kittanning, in the county of Armstrong, be, and the same is hereby erected into a separate election district, and the electors thereof shall hereafter hold their general elections at the commissioners office, in the town of Kittanning, in the county aforesaid.

Kittanning township, Armstrong county, made an election district, &c.

SECT. II. *And be it further enacted by the authority aforesaid,* That the township of Buffaloe, in the county of Armstrong, be and the same is hereby erected into a separate election district, and the electors thereof shall hold their general elections at the house now occupied by Jacob Young, in said township.

Township of Buffaloe, Armstrong county, to be a district, and place of elections.

SECT. III. *And be it further enacted by the authority aforesaid,*

That the township of Sugar Creek, in the county of Armstrong, be, and the same is hereby erected into a separate election district, and the electors thereof shall hold their general elections at the house now occupied by Jost Weiles, in said township.

Sugar creek township, and place of elections.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the township of Toby, in the county of Armstrong, be, and the same is hereby erected into a separate election district, and the electors thereof shall hold their general elections at the house now occupied by Thomas M'Kibbins, in said township.

Toby township, and place of elections.

SECT. V. *And be it further enacted by the authority aforesaid,* That the township of Allegheny, in the county of Armstrong, be, and the same is hereby erected into a separate election district, and the electors thereof shall hold their general elections at the house now occupied by Solomon Shoemaker, in said township.

Allegheny township and place of elections.

SECT. VI. *And be it further enacted by the authority aforesaid,* That the township of Red Bank, in the county of Armstrong, be, and the same is hereby erected into a separate election district, and the electors thereof shall hold their general elections at the house now occupied by Samuel C. Orr, in said township, any law or laws to the contrary notwithstanding.

Red-Bank township, and place of elections.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the electors in the Slippery Rock election district, in Beaver county, who have heretofore held their general elections at the house of Ananias Allen, shall hereafter hold the same at the house now occupied by Jonas Kelly, in said district.

The place of holding elections in Slippery Rock township, Beaver county, changed.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That Providence township, in Bedford county, be, and the same is hereby erected into a separate election district, and the electors thereof shall hold their general elections at the house formerly occupied by Michael Barndollar, on the east side of Bloody Run, in said township.

Providence township, Bedford county, made a district, &c.

SECT. IX. *And be it further enacted by the authority aforesaid,* That the township of Dublin, in the county of Bedford, shall be a separate election district, and the electors thereof shall hold their general elections at the house of George Dansdell, in said township.

Dublin township and place of elections.

SECT. X. *And be it further enacted by the authority aforesaid,* That the township of Bethel, in the county of Bedford, shall be a separate election district, and the electors thereof shall hold their general elections in Warfordsburg, at the house of James Parsons, in said township.

Bethel township, and place of elections.

SECT. XI. *And be it further enacted by the authority aforesaid,* That the electors of the remaining parts of the townships of Butler and Centre, in the county of Butler, which are at present precluded from any other place, shall hereafter be annexed to

Place of elections for the electors of parts of Butler and Centre townships, in

the county of  
Butler.

their respective townships, and hold their general elections in the town of Butler, any law to the contrary notwithstanding.

A certain part  
of Cambria  
county made  
an election dis-  
trict, and place  
of elections.

SECT. XII. *And be it further enacted by the authority aforesaid,* That from and after the passing of this act, that part of Cambria county, beginning at the line between the counties of Huntingdon and Cambria, on the summit of the Allegheny mountain, at Blair's Gap, thence along the state road to the town of Munster, thence along the road known by the name of Galbreath's road, to the house of Henry Reugle, on the head waters of Salt-lick run, thence down said run, to the mouth, thence a direct line to the summit of the Allegheny mountain, where the Bedford road crosses the same, thence along the county line to the place of beginning, shall be an election district; and the electors thereof shall hold their general elections at the house now occupied by John Branniff.

A certain part  
of Dauphin  
county to be a  
district and  
place of elec-  
tions.

SECT. XIII. *And be it further enacted by the authority aforesaid,* That all that part of West Hanover township, in the county of Dauphin, that lies south of the road leading from the fording place at Beaver creek, past William Allens, to Early's mill, on Bow creek, from thence to Dixon's road, where it intersects the forge road, thence to Dixon's fording on Swatara creek, be, and is hereby re-annexed to the second election district, and the electors of the said district shall hold their general elections at the house now occupied by Jacob Greenawalt, in Hummelstown; any former law or laws to the contrary notwithstanding.

East Hanover  
township, in  
Dauphin coun-  
ty.

Place of elec-  
tions.

SECT. XIV. *And be it further enacted by the authority aforesaid,* That the township of East Hanover, in the county of Dauphin, shall be formed into a separate election district, and the electors thereof shall hold their general elections at the house now occupied by John Harper, in the said township, any law to the contrary notwithstanding.

Election dis-  
tricts for Erie  
county.

SECT. XV. *And be it further enacted by the authority aforesaid,* That the county of Erie shall be divided into election districts, as follows; viz. The borough of Erie and the township of Mill creek, shall compose district number one, and the electors thereof shall hold their general elections at the house now occupied as a court-house, in the said borough, until a court-house shall be erected, after which they shall be holden therein; the townships of Coniatue and M'Kean, shall compose district number two, and the electors thereof shall hold their general elections at the house now occupied by James M'Ginnis, in said townships; the township of Fairview, shall compose district number three, and the electors thereof shall hold their general elections at the house now occupied by William Sturgeon, in said township; the township of Springfield, shall compose district number four, and the electors thereof shall hold their general elections at the house now occupied by William Porter, in

said township; the townships of Conniat and Elk creek, shall compose district number five, and the electors thereof shall hold their general elections at the house now occupied by Joshua Randel, in the town of Lexington; the townships of Le Bœuff and Waterford, shall compose district number six, and the electors thereof shall hold their general elections at the house now occupied by Jonas Clark, in the town of Waterford; the townships of Beaver dam and Harbour creek, shall compose district number seven, and the electors thereof shall hold their general elections at the house now occupied by Thomas Morton, in the township last mentioned; the township of North-east, shall compose district number eight, and the electors thereof shall hold their general elections at the house now occupied by Andrew Lowry, in the said township; the townships of Greenfield and Venango, shall compose district number nine, and the electors thereof shall hold their general elections at the house now occupied by Philo Barker, in the Station; the townships of Broken Straw and Union, shall compose district number ten, and the electors thereof shall hold their general elections at the house now occupied by John Taylor.

SECT. XVI. *And be it further enacted by the authority aforesaid,* Place of elections for the sixth election district in Fayette county.  
That from and after the passing of this act, the electors of the sixth election district composed of the township of Saltlick, in the county of Fayette, shall hold their general elections at the house now occupied by Benjamin Davis, near Indian Creek, in said township, any law to the contrary notwithstanding.

SECT. XVII. *And be it further enacted by the authority aforesaid,* The township of Southampton in Franklin county made a district and place of elections.  
That from and after the passing of this act the township of Southampton, in the county of Franklin, shall be, and the same is hereby erected into a separate election district, to be called Southampton district, and the electors thereof shall hold their elections at the house now occupied by William Scott, Esquire, in said township.

SECT. XVIII. *And be it further enacted by the authority aforesaid,* A new election district erected in Huntingdon county and place of elections.  
That the following bounds in the county of Huntingdon, be, and the same is hereby erected into a separate election district, to be called the tenth district; viz. Beginning at the mouth of Fox tavern run in Morris township, thence up said run to the summit of Conoe Mountain, the line dividing Morris and Tyrone townships, thence along said line to the little Juniatta river, thence down said river to the corner of Franklin and West townships, thence along the line dividing said townships opposite to the head of Nelson's run, thence down said run to the mouth thereof, thence up Shavers to where the road crosses, leading from M'Cormack's mill to Huntingdon, thence along said road to the line of Huntingdon township, thence along the line dividing the townships of Huntingdon and West, and to continue

a southerly course 'across' the Juniatta, so as to include all the West side of the Warrior ridge in Huntingdon township to the road laid out from Huntingdon to Williamsburg, thence along said road to the line dividing Huntingdon and Woodberry townships, thence along said line to the line dividing the townships of Woodberry and Morris, thence along said line to the beginning: And the electors thereof shall hold their elections at the house of Lazarus Brown M'Clean, in the town of Alexandria, any law or custom to the contrary notwithstanding.

A separate district erected in Indiana county.

SECT. XIX. *And be it further enacted by the authority aforesaid,* That the townships of Armstrong, Washington and Centre, in the county of Indiana, be, and the same are hereby erected into a separate election district, and the electors of the townships aforesaid, shall hold their general elections at the house now occupied by Peter Suttin, in the town of Indiana, or at such other house in said town as the commissioners of said county shall direct.

Black-lick township, in ditto made a district, &c.

SECT. XX. *And be it further enacted by the authority aforesaid,* That the township of Black-lick, in the county of Indiana, be, and the same is hereby erected into a separate election district, and the electors thereof shall hold their general elections at the house now occupied by Patrick M'Gee, in said township.

Connemaugh township to be a district, &c.

SECT. XXI. *And be it further enacted by the authority aforesaid,* That the township of Connemaugh, in the county of Indiana, be, and the same is hereby erected into a separate election district, and the electors thereof shall hold their general elections at the house now occupied by John Marshall, in said township.

Mahoning township, to be a district, &c.

SECT. XXII. *And be it further enacted by the authority aforesaid,* That the township of Mahoning, in the county of Indiana, be, and the same is hereby erected into a separate election district, and the electors thereof shall hold their general elections at the house now occupied by James Bready, senr. in said township, any law or laws to the contrary notwithstanding.

Martick township, in Lancaster county, made a district.

SECT. XXIII. *And be it further enacted by the authority aforesaid,* That the township of Martock, in the county of Lancaster, be, and the same is hereby erected into a separate election district, and the electors thereof shall hold their general elections at the house of George Hess, now occupied by Tempest Willson, in the said township, to be called the twelfth district, any law to the contrary notwithstanding.

Place of elections in and annexation to, the third election district, in Lancaster county.

SECT. XXIV. *And be it further enacted by the authority aforesaid,* That the electors of the township of Mountjoy being the third district, in the county of Lancaster, shall hereafter hold their general elections at the house of Alexander Boggs, in the village of Elizabethtown, and that part of Donegal township adjoining the line of Dauphin county, and separated from the lower part of Donegal township, by a line beginning at the river Susquehanna,

at the landing place late of Bartram Galbraith, deceased; and thence extending along the road leading to Elizabeth-town to the dwelling house of John Hurst, and including the same, thence along the road leading to the house of Frederick Gram, and along the same to the house of Michael Gross, and including the same, and thence along the said road until it intersects the Lancaster, Elizabethtown and Middletown turnpike road, near the house of Abraham Hearnly, be, and the same is hereby annexed to the said third district, and the electors thereof shall vote with the electors of Mountjoy township, at the village aforesaid, any law to the contrary notwithstanding.

SECT. XXV. *And be it further enacted by the authority aforesaid,* That the electors of the eleventh election district of Lancaster county, shall hereafter hold their general elections at the house of John Houston, in the village of Church town, now occupied by John Roberts, any law to the contrary notwithstanding.

Place of elections for the eleventh district.

SECT. XXVI. *And be it further enacted by the authority aforesaid,* That the township of Orwell, in the county of Luzerne, shall form a separate election district, bounded as follows, to wit: Beginning at the fifty-second mile stone, on the North line of the state, thence South twelve miles and fifty-one chains and fifty links to a corner, thence East eleven miles to a Hemlock tree, with stones around it marked for a corner, thence North twelve miles fifty-one chains and fifty links to the forty-first mile stone, and thence West on the line of the state eleven miles to the place of beginning, and the electors thereof shall hold their general elections at the house now occupied by Josiah Grant, any law to the contrary notwithstanding.

New election districts for Luzerne county, Orwell township.

SECT. XXVII. *And be it further enacted by the authority aforesaid,* That the township of Clifford, in the county of Luzerne, be, and the same is hereby erected into a separate election district, and the electors thereof shall hold their general elections at the house now occupied by Asahel Gregory, any law to the contrary notwithstanding.

Clifford township.

SECT. XXVIII. *And be it further enacted by the authority aforesaid,* That the electors of the third election district in the county of Lycoming, shall hereafter hold their general elections at the house now occupied by James Shearer, innkeeper, in Jersey shore village.

Place of elections for the third district, Lycoming county.

SECT. XXIX. *And be it further enacted by the authority aforesaid,* That the township of Delmar, in the county of Lycoming, shall be a separate election district, and the electors thereof shall hold their general elections at the house now occupied by Joshua Emlen, in Wellsborough.

Delmar township in said county to be a new district.

SECT. XXX. *And be it further enacted by the authority aforesaid,* That the electors of the fifth election district, of Mifflin county, shall hereafter hold their general elections at the house now oc-

Place of election in the 5th district, Mifflin county.



## CHAPTER CXXXVII.

*An ACT making appropriations for certain roads therein mentioned, and also for improving the navigation of certain rivers.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

\$5000 appropriated for improving the following roads, and in the following proportions.  
For the state and stage roads in Franklin county, \$600.  
Bedford county \$1500.  
Somerset county \$1500.  
Westmoreland county. Specification.

For improving part of the state road in Fayette county. To whom the several sums are to be paid.

The county commissioners to lay out the monies appropriated, on the respective roads.

And account to the auditors.

That the sum of five thousand seven hundred dollars be, and the same is hereby appropriated for the purpose of improving the state roads in the counties of Franklin, Bedford, Somerset, Westmoreland and Fayette, as follows; for the purpose of improving the state and stage roads in the county of Franklin, six hundred dollars; for improving the state roads in Bedford county, fifteen hundred dollars; for improving the state roads in Somerset county, fifteen hundred dollars; for improving the state roads in Westmoreland county, fourteen hundred dollars, that is to say; for improving the Pennsylvania state road from the Somerset county line, on the Laurel hill, to the Nine mile run, on the west side of Chesnut-ridge, six hundred dollars; for improving the Glade state road from William Backhouse's tavern, on the top of Laurel-hill, to Arnfriedt's tavern, at the forks of the Pittsburgh and Washington road, six hundred dollars; for improving the said road from the said Arnfriedt's to Lobingier's mill, one hundred dollars; for improving the Pittsburgh road from the said Arnfriedt's to William Golden's tavern at the foot of Chesnut ridge, one hundred dollars; for improving the state road in Fayette county, that leads from Connelstown to Somerset, seven hundred dollars; to be paid on warrants drawn by the Governor out of any unappropriated monies in the State-treasury, to the commissioners of Franklin, Bedford, Somerset, Westmoreland and Fayette counties, in such proportions as the said counties are hereby entitled to the same respectively; and three hundred dollars, to be appropriated to that part of the road which lies between the Burnt Cabbins and Bedford Furnace, commonly called the Shades of Death, in the county of Huntingdon.

**SECT. II.** *And be it further enacted by the authority aforesaid,* That the commissioners of the counties of Franklin, Bedford, Huntingdon, Somerset Westmoreland and Fayette, respectively be, and they are hereby authorized and required to apply the several sums of money appropriated by this act, for the improvement of the aforesaid roads, in such manner and on such parts of the said roads as they shall judge most advantageous and necessary to be improved; and shall exhibit a statement of their accounts and disbursements of the sums of money aforesaid, to the county auditors of their respective counties, who shall settle and adjust the same, in like manner as the accounts

of county commissioners are in other cases settled and adjusted.

SECT. III. *And be it further enacted by the authority aforesaid,* That nine thousand dollars be, and the same are hereby appropriated out of the money from the estate of John Nicholson, deceased, for improving the navigation of the river Schuylkill, from the falls thereof to the mouth of little Schuylkill; six hundred dollars for improving the navigation of little Schuylkill, from Haa's mill to Locust creek; and four hundred dollars for improving the navigation of that branch known by the name of Big Schuylkill, from Morris's iron works, to Jacob Stahl's mill; and the Governor is hereby directed as soon as the money shall have been paid into the State treasury, out of the money from the estate of John Nicholson, to draw his warrant on the State treasurer in favor of the commissioners herein after named, for the sums appropriated by this section: And that Peter Richards, Joseph Heister and Robert Kennedy, be, and they are hereby appointed commissioners to contract for and superintend the improvements aforesaid, and when the said money shall have been expended, they shall make report of their proceedings to the courts of common pleas for the counties of Montgomery and Berks; and the court of Montgomery shall appoint two viewers, and the court of Berks shall appoint one, who shall unite and examine whether the said money has been properly expended, and if in their opinion the same has been illegally disposed of, the said courts shall direct suits to be instituted for the recovery of so much as has been improperly expended; and the said commissioners or either of them shall not be concerned either directly or indirectly in their private capacity, in any contract made under this section.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the further sum of five thousand seven hundred dollars of the monies due to this state from the estate of John Nicholson, deceased, prior appropriations in this act being first satisfied, be, and the same is hereby appropriated for the following purposes; viz. one thousand five hundred dollars for improving the navigation of the Susquehanna, from Columbia to Middletown; one thousand five hundred dollars for improving the navigation of said river from Middletown to the mouth of Juniata; five hundred dollars to improve the navigation of the Juniata, from its mouth to the mouth of Kishicoquillis; twelve hundred dollars for improving the state road from Beula to Pittsburgh; and one thousand dollars for improving the navigation of the Bald-Eagle creek, from its mouth to the town of Milesburgh in Centre county.

SECT. V. *And be it further enacted by the authority aforesaid,* That when the monies due from the estate of the said John Nicholson, to this Commonwealth, or so much thereof, after prior

Appropriation for improving the navigation of the Schuylkill. Commissioners appointed to superintend the improvements. Who shall report their proceedings to the courts of Montgomery and Berks, &c.

A further appropriation of \$5,700 for certain purposes. Specification.

Special appropriations for improving certain parts of

**SECT. III.** *And be it further enacted by the authority aforesaid,*  
 Duties to be performed by the county treasurers And penalty on failure. Comptroller and Register to proceed against them in such case ; And penalty on neglecting so to proceed.  
 That the treasurers of the respective counties shall annually settle and pay over all the monies received by them on account of militia exempt fines and tavern licences, and pay the same into the state treasury on or before the first Monday in February succeeding the said fines and licences becoming due, under the penalty of five hundred dollars ; and on neglect of such settlement and payment thereof as aforesaid, the comptroller and register-generals shall forthwith proceed against such delinquent treasurer or treasurers ; and on neglect of the comptroller and register-generals to proceed as aforesaid, for the space of thirty days after the said first Monday in February, they shall be liable to the whole amount charged against the county treasurers respectively.

**SECT. IV.** *And be it further enacted by the authority aforesaid,*  
 Duties of the sheriff of each county.  
 That it shall be the duty of the sheriff of each county in this Commonwealth to account for to the proper officers and pay over yearly all fines and forfeitures by them respectively received by virtue of their offices, for the use of the Commonwealth, under the penalty of double the amount by him or them received, and not paid over for every neglect or refusal therein.

**SECT. V.** *And be it further enacted by the authority aforesaid,*  
 Of the Register General's annual reports to the legislature.  
 That the register-general in his annual reports to the legislature, shall make a correct statement of the amount of the license monies and the militia exempt fines due from the respective counties, and the names of the county treasurers, together with the amount of such licence money and militia exempt fines as have been paid into the treasury for the preceding year.

**SECT. VI.** *And be it further enacted by the authority aforesaid,*  
 The Governor's signature, to tavern and marriage licences dispensed with.  
 That from and after the passing of this act, it shall be the duty of the Secretary of the Commonwealth to sign all tavern and marriage licences, and so much of any former act of the legislature as requires the Governor to sign the aforesaid licences, be, and the same is hereby repealed.

**SECT. VII.** *And be it further enacted by the authority aforesaid,*  
 Receipts for monies payable into the state treasury must be by the treasurer.  
 That no receipt for any money directed by law to be paid into the state treasury, shall be available unless signed by the treasurer or by some other person duly authorized by him for whom the state treasurer shall be responsible.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the eleventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXXXIX.

*An ACT extending the powers of the justices of the peace and aldermen in certain cases.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the power and jurisdiction of the justices of the peace and aldermen within this commonwealth, be, and hereby are extended to the sum of fifty dollars, subject to all the provisions, rules, regulations and restrictions contained in an act, entitled "An act to extend the powers of the justices of the peace of this state," passed March the first, one thousand seven hundred and ninety-nine.

The powers and jurisdiction of justices of the peace and aldermen extended in certain cases.

**SIMON SNYDER,** *Speaker  
of the House of Representatives.*

**P. C. LANE,** *Speaker of the Senate.*

*We do hereby certify,* That the bill entitled "An act extending the powers of the justices of the peace and aldermen in certain cases," was presented to the Governor, on Wednesday, the first day of April, one thousand eight hundred and seven, and was not returned by him within ten days (Sundays excepted), and therefore agreeable to the constitution, has become a law.

*Lancaster,  
April, 18th, 1807.* }

**MATTHEW HUSTON,** *Clerk  
of the House of Representatives.*

**GEO. BRYAN,** *Clerk of the Senate.*

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CHAPTER CXL.

*An ACT to raise by way of lottery, a sum not exceeding three thousand five hundred dollars, for finishing a church at Barrenhill, in the county of Montgomery.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Frederick D. Shaffer, Henry Katz, Leonard Kolb, John Hart, George Bisbing and William Hallman, be, and they are hereby appointed commissioners to raise by way of lottery, a sum of money, not exceeding three thousand five hundred dollars, for repairing and finishing a German Lutheran church at Barrenhill, in the county of Montgomery.

Commissioners named, sum to be raised and how applied

**SECT. II.** *And be it further enacted by the authority aforesaid,* That the commissioners, before they proceed to sell any tickets in the said lottery, shall lay such scheme thereof before the Governor as shall meet his approbation, and enter into bonds to

Commissioners to lay the scheme

before the Governor, and other duties of the commissioners.

him for the due performance of their duty in selling the tickets, drawing the lottery and paying the prizes; and each of them, before entering on the duties of his appointment, shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby entrusted to him; and two of the commissioners at least, shall attend each days drawing of the aforesaid lottery, and when the whole is completed, shall cause an accurate list of the fortunate numbers to be published in one newspaper at least, printed in the county of Montgomery.

Authorized to settle and pay accounts, &c. **SECT. III.** *And be it further enacted by the authority aforesaid,* That the commissioners be, and they are hereby authorized, to settle and adjust all accounts which may be exhibited by any person or persons legally employed in carrying this act into effect, and that all expences necessarily attending the same, shall be paid by the aforesaid commissioners, out of the nett proceeds of the said lottery.

What prizes shall be considered as relinquished. **SECT. IV.** *And be it further enacted by the authority aforesaid,* That all prizes not demanded within twelve months after the publication as aforesaid, shall be considered as relinquished for the benefit of the said church.

SIMON SNYDER, *Speaker of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXLI.

*An ACT making appropriations, and for other purposes.*

Appropriation for the redemption of certain certificates. Clerk hire and contingent expences in the office of the secretary of the Commonwealth. Extra clerk hire, &c. **SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That for the payment of debts and expences hereinafter mentioned, there is hereby appropriated out of the funds for the support of government, the following sums: *viz.* The sum of two thousand dollars for the redemption of certificates issued under the act, entitled “An act to provide for the settlement of public accounts, and for other purposes therein mentioned;” for clerk hire in the office of the secretary of the Commonwealth, one thousand five hundred dollars; for contingent expences in the said department for one year, one thousand one hundred dollars; for extra clerk hire in the office of the Secretary of the Land-office, one thousand dollars; and for contingent expences in said office, for one year, one thousand and sixteen dollars; for

extra clerk hire in the office of the Surveyor-general, six hundred dollars; and for contingent expences in said office, for one year, five hundred and forty-seven dollars; for extra clerk hire in the office of the Receiver-general, six hundred dollars; which shall be exclusively appropriated to bringing forward the back books in the said office; and for contingent expences in the said office, for one year, four hundred and thirteen dollars; for contingent expences in the office of the State-treasurer, for one year, three hundred and thirty-nine dollars; for contingent expences in the office of Comptroller-general, for one year, three hundred and eighty-nine dollars; for extra clerk hire in the office of the Register-general, six hundred dollars; and for contingent expences for one year, in the said office, five hundred dollars; and for a balance due to the estate of John Albright, deceased, for printing the journal of the house of representatives, of the last session, in the German language, the sum of one hundred and sixty-two dollars and seventy-five cents.

To the receiver general.

To the state treasurer.

Comptroller General.

Register General.

Appropriation for a watchman to guard the State treasury.

SECT. II. *And be it further enacted by the authority aforesaid,* That the State-treasurer is hereby authorized when he shall deem it necessary, to employ a watchman to guard the treasury of this Commonwealth; and the sum of one hundred and sixty dollars is hereby appropriated for that purpose.

SECT. III. *And be it further enacted by the authority aforesaid,* That the sum of one hundred and seventeen dollars and ninety-two cents, is hereby appropriated to re-imburse Joseph Reed, prothonotary of the Supreme court, for the Eastern district, for the price of a seal and press for the said court, and a seal for the supreme court for the Western district; and that the sum of one hundred and sixteen dollars is hereby appropriated to re-imburse the said Joseph Reed, for the expences of putting in repair a wing of the State-house in Philadelphia, for the safe-keeping of the records, and for the use of said office.

Appropriations for re-imbursing Joseph Reed Esq. Prothonotary, &c.

SECT. IV. *And be it further enacted by the authority aforesaid,* That no extra allowance beyond the stated salary, shall be allowed to the Secretary of the Commonwealth, for making indexes and marginal notes to the laws of each session.

The Secretary to receive no extra allowance for index, &c.

SECT. V. *And be it further enacted by the authority aforesaid,* That the sums hereby appropriated, shall be paid by the State-treasurer, on warrants drawn by the Governor, under the same regulations and restrictions as are directed by law, as in other cases.

The monies to be drawn from the treasury, as aforesaid.

SIMON SNYDER, *Speaker*  
of the House of Representatives.  
P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of April, one thousand eight hundred and seven.

THOMAS MCKEAN.

## CHAPTER CXLII.

*An ACT regulating township elections.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passing of this act, it shall be lawful for a majority of the qualified electors present at any meeting, held at the usual place for electing assessors or inspectors or other township officers, to change the place of holding said elections, to any suitable or convenient house best adapted for the convenience of the inhabitants of the respective townships.

How the  
places of  
holding  
township  
elections  
may be chan-  
ged,

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXLIII.

*An ACT directing the mode of settling accounts in the Land-office, and to prevent frauds in obtaining warrants for land.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the receiver-general of the land-office, on the settlement of any account for monies due on lands within the purchases made of the Indians, in and prior to the year one thousand seven hundred and sixty-eight, to ascertain the amount of principal and interest due at the time of passing this act upon such account, and upon the aggregate amount so found due, it shall be his duty to charge interest, until the amount of the account is discharged: *Provided,* That any person paying to the said receiver-general the amount of money due from him or her on or before the first day of March, one thousand eight hundred and eight, or otherwise, before the said day, complying with the provisions of the act, entitled "An act to encourage the patenting lands, and for other purposes," passed the fourth day of April, anno Domini one thousand eight hundred and five, shall be charged interest only upon the principal sum due up to the time of such payment, or of executing a mortgage agreeably to the directions of the said act.

Interest to  
be charged  
on the prin-  
cipal and in-  
terest now  
due for lands  
within the  
purchases  
made of the  
Indians, pri-  
or to 1768.

Proviso in  
favour of  
those pay-  
ing before  
the 1st of  
March 1808,  
&c.

*And whereas* it is the interest, as well as the duty of the legislature, to prevent frauds and impositions that may arise in

taking out new warrants for lands upon which old warrants have been laid, or which have been acquired by any other office-right: Therefore,

SECT. II. *And be it further enacted by the authority aforesaid,* That before any warrant issues from the land-office for any land within the said purchases, the person for whose use and in whose name such warrant is applied for, shall declare upon oath or affirmation, in addition to the usual proof required by the officers of the land-office, to be taken and subscribed before some one of the judges of the court of common pleas, or justice of the peace of the county in which such lands lie, or before the secretary of the land-office, that according to the best knowledge and belief of the deponent, no warrant or other office-right had issued for such land in the name of such deponent or of any person or persons under whom he claims, and if at any time thereafter it should appear that the persons deposing as aforesaid, or any of them, shall knowingly have sworn falsely, such person or persons shall suffer all the pains and penalties of perjury.

Proceedings on obtaining warrants for land, within said purchases.

SIMON SNYDER, *Speaker of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXLIV.

A SUPPLEMENT to an act, entitled “An act to erect part of Lycoming, Huntingdon and Somerset counties into separate county districts.”

WHEREAS three commissioners were appointed by the Governor, in pursuance of an act, entitled “An act to erect parts of Lycoming, Huntingdon and Somerset counties, into separate county districts,” passed on the twenty-sixth day of March, one thousand eight hundred and four, to run and mark the boundary lines of the counties of M'Kean, Potter and Tioga; and one of the commissioners is deceased and another has declined to act, in pursuance of said appointment, and but a small part of the duty remains to be performed: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* and it is hereby enacted by the authority of the same, That George Ross, one of the said commissioners be, and he is hereby authorized to complete the running the boundary lines of the counties of M'Kean, Potter and Tioga, and to return the map or draft of

George Ross empowered to complete the bound-



ry lines of the counties of Mc'Kean, Potter and Tioga, &c.

Additional allowance to Geo Ross. A certain part of which, he is to account for to the heirs of William Ellis.

the lines of the said counties, to the Secretary of the Commonwealth, to be deposited in his office, which return so to be made shall have the like effect as if the same had been executed and returned by all the commissioners appointed for that purpose, in pursuance of the said act; and there is hereby allowed to the said George Ross, in addition to the compensation allowed by the said act, the sum of seventy-five cents for every mile run and marked, to be paid out of the treasury of the Commonwealth, on a warrant drawn by the Governor; the said George Ross to be accountable to the legal representatives of William Ellis, deceased, for such part of the additional compensation as shall be in proportion to the services rendered by William Ellis, in his life time.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN..

## CHAPTER CXLV.

### *An ACT concerning Strays.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the inhabitants of the respective townships in the counties of Philadelphia, Bucks, Chester, Lancaster, Northampton, Wayne and Delaware, who are qualified electors, when they meet at the usual time and place for electing supervisors of the highways, also to elect in the same manner, some fit person for a town clerk; and the judges of the election shall certify the same to the court of quarter session, the clerk of which shall make record thereof, as records of the election for constables usually are made; and if such person so elected, shall neglect or refuse to serve as town clerk or to perform any or all the duties hereinafter enjoined upon him, he shall forfeit and pay the sum of ten dollars, to be paid into the county treasury and applied as other county monies usually are: Whereupon the court of quarter sessions shall appoint some other fit person to fill his place; and it shall be the duty of such clerk, so appointed or elected and consenting to serve, immediately thereafter at the expence of their respective townships, to provide a book or books as often as the same shall be necessary, for the purposes hereinafter mentioned, to be kept at

A town clerk to be chosen for each township, in certain enumerated counties.

Penalty for not serving, &c.

or as near as conveniently may be to the place of holding township elections, the price of which shall be paid out of the monies raised for the purpose of repairing the roads.

SECT. II. *And be it further enacted by the authority aforesaid,* That if any person shall discover upon his, her or their improved and inclosed lands, any stray cattle, horse or sheep, it shall and may be lawful for such person or persons to take up the same ; and it shall be the duty of such person or persons to give notice thereof to the owner of such stray, if he or she can be readily found, but if otherwise, such person as aforesaid, shall within four days deliver to the town-clerk aforesaid, a particular description of the color and marks, natural or artificial, of such stray or strays, in writing or other satisfactory way ; and for every neglect or refusal to do the same, he or she shall forfeit and pay the sum of five dollars, to be recovered as debts of a similar amount are by law recoverable ; and it shall be the duty of the town-clerk, subject to like penalty for neglect or refusal to make an entry of the same in the book aforesaid, for which entry so made, the said clerk shall receive for each head of horse kind, fifty cents ; and for each head of cattle, twenty-five cents ; for every sheep, six cents ; to be paid by the person delivering such notice aforesaid ; and such person may detain such stray or strays, until the owner thereof shall reimburse him or her the expence of such entry, and also pay all reasonable charges of publishing such notice, which shall not exceed the sum of six cents per mile, to be estimated from the residence of the person taking up such stray or strays, to the place of keeping the book aforesaid, and also all reasonable expence for keeping such stray or strays, as well as the damage which may have been done by the same.

SECT. III. *And be it further enacted by the authority aforesaid,* That if the owner of any such stray or strays taken up as aforesaid, shall appear and neglect or refuse to make or tender a reasonable satisfaction to the party injured, for the damages sustained by such trespass, and for the cost of keeping such stray, or if such person or persons detaining such stray, shall not accept the said satisfaction, it shall be lawful for either of the parties aforesaid, to complain to any justice of the peace of the proper township or county where such stray shall be taken up as aforesaid, who shall upon such complaint and application issue his warrant directed to three disinterested and honest freeholders of the neighborhood, commanding and enjoining them forthwith to view the trespass, to value and appraise the same, having due regard to the sufficiency of the fence of such enclosure, with the expence and cost of keeping the said stray or strays, to make report thereof to him the said justice with all convenient speed ; which said valuation and appraisement and return, they, the said

Strays found within inclosed lands to be taken up. Notice

thereof to be given to the owner, if to be found.

Otherwise a description thereof to be delivered to the town clerk.

Penalty for neglecting to do so.

Entry of such stray to be made by the town clerk in his book.

His compensation.

Such stray to be detained until the owner reimburse all reasonable charges.

Proceedings, in case the owner of the stray appear and refuse to make satisfaction for the damages sustained.

freeholders are hereby enjoined and required to make accordingly ; and if the said valuation and appraisement shall not amount to more than the sum of money tendered to the party-injured, as a recompence for the damage done as aforesaid, before such complaint made, then the said justice shall give judgment for the same only, to the party refusing such tender, and award reasonable costs ; but if the said valuation shall amount to more than the sum tendered, or if no such tender be made, then and in that case the said justice shall award and give judgment for the valuation aforesaid, to the parties injured, with reasonable costs for keeping the stray aforesaid, (to be estimated from the time of giving notice as aforesaid,) against the other party, and shall award execution upon every such judgment, with costs of suit accordingly: *Provided*, That the said valuation and appraisement come within the jurisdiction of the said justice, but if not, then the said damage shall be recovered as debts of an equal amount

And in case the owner be not found within thirty days after the stray shall have been taken up.

are by law recoverable: *And provided always*, That if no owner for any such stray shall have been found, within thirty days after the same shall have been taken up, then, and in that case, the person taking up the same, shall not be entitled to receive any compensation for the damages done by the same, unless he shall within six days thereafter, have given notice to three disinterested freeholders to value and ascertain the amount of the same, which they are hereby authorized and required to do forthwith, and to make report thereof on oath or affirmation, to any justice of the peace residing in the proper township, who shall, when the owner of such stray shall be found, upon his or her neglect or refusal to pay the same, give judgment and award execution with costs as aforesaid: *And provided also*, That if the amount of the said appraisement and valuation, be not within the jurisdiction of a justice of the peace, the said damage may be sued for before any court of competent jurisdiction, and in all cases before a justice, the defendant or plaintiff shall have like benefit of stay of execution or appeal, as is given under the existing laws relating to justices of the peace.

In what cases strays may be sold to defray the costs of keeping, &c. and proceedings previous to such sale.

SECT. IV. *And be it further enacted by the authority aforesaid*, That if no owner shall appear, within thirty days after any such stray shall have been taken up, it shall be the duty of the person taking up the same, to cause an advertisement, particularly describing such stray, to be published at least in one newspaper in the proper county, if any there be, but if otherwise, to publish the same, by written or printed advertisements, which shall be put up at six or more public places in the county; and if no owner shall appear and make out his or her property in the said stray or strays, within ninety days after the publication of such advertisements as aforesaid, the person taking up the same, shall make application to any justice of the peace in the said town-

ship, who is hereby authorized and required to issue his warrant to any constable within the township as aforesaid, and cause him to expose the said stray or strays to public sale, first giving at least ten days notice in three or more public places in the said township, and after he shall have sold the same, he shall make a return thereof to the said justice, who shall after the payment of all reasonable charges, and damages, and cost of keeping as aforesaid, pay over the surplus, if any there be of such sale, to the county-treasurer; but if the owner of such stray or strays shall appear within one year after such sale, and prove his, her or their property, to such stray or strays, the said justice, or any other in the county, shall certify the same to the county treasurer, who shall pay to the said owner, the whole amount of such surplus aforesaid, but if no owner shall appear within the time limited as aforesaid, he or she shall be thereafter barred from all right to the same, and the money aforesaid, may be applied to such purposes as other monies in the treasury usually are.

How the surplus of the proceeds of sale is to be disposed of.

SECT. V. *And be it further enacted by the authority aforesaid,* That if any person or persons, taking up any stray or strays, shall neglect to give notice as is herein before directed, he, she or they, so offending, shall forfeit all right and title to, or recovery of any sum or sums of money for any trespass committed by the same, but shall deliver up the said stray or strays so detained to the owner thereof, without any recompence, fee, or reward, whatsoever.

Penalty on persons taking up strays and neglecting to give notice as aforesaid.

SECT. VI. *And be it further enacted by the authority aforesaid,* That the books to be kept as aforesaid, by the respective town-clerks of each township, shall be at all times kept open and free for any person or persons, who at any time may have occasion to search therein, for any such stray; and for which search, such clerk shall not ask or receive any fee or reward, under the penalty of three dollars, to be recovered by the party aggrieved, in manner aforesaid, with costs of suit.

The books of the respective town clerks to be, at all times open for inspection.

SECT. VII. *And be it further enacted by the authority aforesaid,* That from and after the first day of March next, the act, entitled "An act for erecting pounds in each township in this province," and the act, entitled "An act concerning cattle, horses, and sheep trespassing within this province," be, and the same are severally hereby repealed, so far as they relate to the counties mentioned in this act, and this act shall then be in full force and operation.

Former acts repealed.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of April, one thousand eight hundred and seven.

THOMAS McKEAN.

## CHAPTER CXLVI.

*An ACT for the relief of John Steel.*

**W**HEREAS it appears from documents duly authenticated, that the donation tract of land allotted to John Steel, late a captain in the revolutionary army of the United States, for his services is deficient in quantity, containing only four hundred and twenty-four acres and eighty-five perches, instead of five hundred acres, and as it is reasonable and just that the engagements on the part of the Commonwealth should be fully and faithfully performed: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the land officers of this Commonwealth, be, and they are hereby authorized and directed to issue a patent for seventy-six acres of donation land to the said John Steel, to be laid off from the east or West end of such tract as may be drawn for that purpose by the said John Steel or his legal representatives; by a line run and marked parallel to the east or west boundary line of said tract at the expence of the said John Steel or his legal representative, and the residue of said tract shall be reserved for future appropriation by the legislature.*

Provision in  
favor of  
of John  
Steel.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CXLVII.

*An ACT authorizing the court of quarter sessions of the county of Westmoreland, to vacate that part of the state road that lies between Jones's mill in said county, and the line of Somerset county.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

Proceedings  
to be had  
previously to  
vacating the  
road.

That it shall be lawful for the court of quarter sessions in the county of Westmoreland, upon application to the said court, being made to grant an order and appoint fit persons to view that part of the state road that lies between Jones's mill and the line of Somerset county, on the Laurel hill, and also to view the new road opened and made by Thomas Jones and William Backhouse

between the places aforesaid, and it shall be the duty of the said viewers to report to the said court which of the two roads or what part of either should in their opinion be vacated, and on confirmation by the court of said report, the other road shall be deemed and considered a state public highway, and shall be kept in repair as other roads are now kept in repair by the proper county or township.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of April, one thousand eight hundred and seven.

THOMAS M·KEAN.

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CHAPTER CXLVIII.

*A further SUPPLEMENT to the act, entitled " An act to alter and amend the act, entitled " An act to regulate the general Elections within this Commonwealth."*

**W**HEREAS in and by the act to which this is a further supplement it is directed that the returns of elections of members of congress, members of senate, members of the house of representatives and of governor, shall be sent by mail to the secretary of the Commonwealth, but the said law does not make provision for sending the returns of sheriff and coroner in the same manner, from which omission much inconvenience and expence results, for remedy whereof,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passing of this act, the returns of sheriff and coroner shall be forwarded to the secretary of the Commonwealth in the same manner as returns are directed to be sent by the sixth section of the act of the fourth of April one thousand eight hundred and three, entitled " An act to alter and amend the act, entitled " An act to regulate the general elections within this Commonwealth," any law custom or usage to the contrary notwithstanding.

How returns of sheriffs and coroners elect, are to be made in future.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of April, one thousand eight hundred and seven.

THOMAS M·KEAN.

## CHAPTER CXLIX.

*An ACT to enable Mathew Gaut and William Espey, to sell and convey certain lands therein mentioned.*

**W**HEREAS Samuel Glaskow, late of Fayette county, by his last will and testament, bearing date the ninth day of March, one thousand eight hundred and five, devised to his daughter Mary two hundred pounds, to his daughter Margaret two hundred pounds, to his daughter Ann two hundred and fifty pounds, to his daughter Jennet three hundred pounds, and to his daughter Rachael four hundred pounds: *And whereas*, it hath been represented to the legislature, that the executors named in said will, have duly proven the same, and have disposed of the personal estate of the deceased, which hath discharged all the debts due by the testator, but will not extend to the payment of the legacies aforesaid: *And whereas* it satisfactorily appears, that the funds for the discharge of the legacies above mentioned, were designed by the testator aforesaid, to arise from the sale of his real estate, but no power having been given to the executors of said Samuel Glaskow by the will aforesaid, or to any other person, to dispose of said real estate, and as no legal title can be made for the same, without legislative aid: *And whereas*, the whole of the premises hath been clearly and fully set forth, in a memorial to the legislature, signed by all parties in said will, and in said real estate interested: Therefore,

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for Mathew Gaut, and William Espey, executors of the last will and testament of Samuel Glaskow, deceased, late of Fayette county, to sell and convey all the right, title and estate, which the said Samuel Glaskow had at the time of his death, in a certain tract of land in the county aforesaid, containing three hundred and twenty acres, with the appurtenances, either by public or private sale, for the best price that can be obtained for the same, and to do all other things necessary for carrying into effect the powers given by this act, as fully and effectually as the said Samuel Glaskow might have done, or could do in his life time; the proceeds of which sale, after paying all legal demands against the said estate shall, in the first instance, be applied to the payment and discharge of the legacies aforesaid, and the residue thereof shall be distributed agreeably to the directions of the last will and testament of the said Samuel Glaskow: *Provided always,* That so much of the money arising from said sale, as may be coming to Rachael Glaskow, one of the devisees of said Samuel Glaskow, a minor,

The executors of Samuel Glaskow, late of Fayette county, authorized to sell and convey a certain tract of land, late the property of the deceased.

How the proceeds are to be disposed of.

shall be paid to her guardian for the time being, which shall, by said guardian, be placed out at interest, on good real security, for the use of said Rachael.

SECT. II. *And be it further enacted by the authority aforesaid,* That the conveyance to be made to the purchaser of the aforesaid estate, shall not be good or effectual in law, unless the said Matthew Gaut, and William Espey, before they proceed to sell and convey the same, shall give bonds with sufficient surety, to be approved of by the judges of the orphans' court of Fayette county, for the faithful performance of their respective trusts in this behalf, and for the due payment of the money arising from such sale, agreeable to the directions of this act: *Provided always,* That the legal rights of all persons to said estate, except the right of the devisees in said will, shall be, and they are hereby saved and reserved, and shall remain as fully and as effectually as if this act had never been passed.

The executors before they sell, to give bond and surety, &c.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CL.

*An ACT to raise by way of lottery a sum of money to defray the expenses incurred by the Trustees of the German Lutheran Congregation in and near the village of Elizabeth town in the county of Lancaster.*

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That John Woelfley, Frederick Hipple, Abraham Fish and John Shardle, be, and they are hereby appointed commissioners to raise by way of lottery a sum of money not exceeding three thousand dollars, to be by them applied to the payment of the debts of the German Lutheran congregation, in and near the village of Elizabeth town, in the county of Lancaster, contracted in the erection and finishing their house of worship.

Commissioners named.

Sum to be raised, &c.

SECT. II. *And be it further enacted by the authority aforesaid,* That the said commissioners before they proceed to sell any tickets in the lottery aforesaid, shall lay such scheme thereof before the Governor as shall meet his approbation, and enter into bonds to him for the due performance of their duty in selling the tickets, drawing the lottery and paying the prizes, and each of them before entering on the duties of his appointment, shall take

Commissioners to lay the scheme of the lottery before the Governor for his approbation, and



other duties  
of the com-  
missioners.

and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby intrusted to him, and two or more of said commissioners shall attend at the drawing of each day, and when the whole is completed shall cause an accurate list of the fortunate numbers to be published in the English and German papers, printed in the borough of Lancaster and Harrisburg, and shall pay and discharge the prizes that shall be demanded by persons legally entitled thereto, within thirty days after the drawing shall be completed.

Commission-  
ers autho-  
rized to set-  
tle accounts,  
pay debts,  
&c.

SECT. III. *And be it further enacted by the authority aforesaid,* That the said commissioners, be, and they are hereby authorized to settle and adjust all the accounts which may be exhibited by any person or persons legally employed in carrying this act into effect, and that all expences attending the same shall be paid by the said commissioners out of the proceeds of the said lottery.

What prizes  
shall be con-  
sidered as  
relinquished.

SECT. IV. *And be it further enacted by the authority aforesaid,* That all prizes not demanded within twelve months, next after publication as aforesaid, shall be considered and deemed as relinquished for the benefit of the aforesaid congregation.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER CLI.

*An ACT to raise six thousand dollars by lottery, for the purpose of building a church for the use of the Lutheran and Calvinist congregation, in Hamburg, Berks county, and for finishing the Presbyterian church in the borough of Pittsburg.*

Commission-  
ers of the  
lottery in  
Berks coun-  
ty.

Sum to be  
raised, and  
for what  
purpose.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert Scott, George Miller, Philip Kline, Philip Seidle, John Meyer and Abraham Bailey, of the county of Berks, b., and they are hereby appointed commissioners, to raise by way of lottery, a sum of money, not exceeding the sum of three thousand dollars, to be by them applied to the purpose of erecting a house of public worship, for the use of the joint Lutheran and Calvinist congregations, in the town of Hamburg, in the county of Berks.

SECT. II. *And be it further enacted by the authority aforesaid,* That the said commissioners, before they proceed to sell any

tickets in the said lottery, shall lay such scheme thereof before the Governor, as shall meet his approbation, and enter into bonds to him for the due performance of their duty in selling the tickets, drawing the lottery, and paying the prizes; and each of them, before entering on the duties of his appointment, shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby intrusted to him; and two of the commissioners at least, shall attend each day's drawing of the aforesaid lottery, and when the whole is completed, shall cause an accurate list of the fortunate numbers to be published in the Reading Eagle.

SECT. III. *And be it further enacted by the authority aforesaid,* That the said commissioners be, and they are hereby authorized to settle and adjust all accounts which may be exhibited by any person or persons legally employed in carrying this act into effect, and that all expences necessarily attending the same, shall be paid by the aforesaid commissioners, out of the nett proceeds of the said lottery; and that all prizes, not demanded within twelve months after the drawing is completed, shall be considered as relinquished for the benefit of the said church.

SECT. IV. *And be it further enacted by the authority aforesaid,* That John Wilkins, senr. John Johnston, William Boggs and William Porter, be, and they are hereby appointed commissioners to raise by way of lottery a sum of money not exceeding three thousand dollars, to be by them applied in finishing the Presbyterian church, in the borough of Pittsburg, and that said commissioners before they proceed to sell any tickets in said lottery, shall lay such scheme thereof before the Governor as shall meet his approbation, and enter into bonds to him for the due performance of their duty in drawing the same, and each of them before entering on the duties of his appointment, shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby intrusted to him, and two or more of the said commissioners shall attend the drawing of each day, and when the drawing shall be completed they shall cause an accurate list of the fortunate numbers to be published in the Commonwealth Crawford Weekly Messenger and Farmers Register, and shall pay and discharge all prizes to those who shall be legally entitled thereto within six months after the drawing is finished, and all those prizes not demanded within twelve months after the drawing is finished, shall be considered as relinquished to and for the use of said church.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of April, one thousand eight hundred and seven.

## CHAPTER CLII.

**A SUPPLEMENT** to an act, entitled "*An act to regulate arbitrations and proceedings in courts of justice.*"

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same*

In what cases the writ of ejectment may issue. Who may join therein.

That the writ of ejectment prescribed in the act to which this is a supplement, shall issue in all cases where lands, tenements or hereditaments are claimed, and give remedy as fully and effectually as in ejectments in the form heretofore used; and all parties having an undivided interest in any such lands, tenements and hereditaments, whether as joint tenants, copartners or tenants in common, may join therein, and recover according to their interest and title; and minors may sue by their guardians as in other cases; and the defendant may defend upon his own title or the title of third persons; and the landlord may as heretofore be admitted as defendant, and in such case on the trial, shall admit himself in possession.

Of the defendant.

Proceedings where, on service of the writ of ejectment, it appears that other persons not named in the writ are in possession of the premises, &c.

**SECT. II.** *And be it further enacted by the authority aforesaid,* That where any writ of ejectment shall be issued, and on the service thereof it shall appear to the sheriff that other persons not named in the writ are in possession of the premises or part thereof, such sheriff shall add the name of such person or persons to such writ, and serve the same, and on return thereof, the prothonotary shall enter such additional defendants to the action, and they shall be parties thereto; and in case of any of the defendants not appearing, on motion to the court, and on affidavit of the sheriff or other officer, having served the said writ, stating the manner in which the said service was made, and on the same being deemed by the court a service agreeably to law, judgment may be entered by default, for such part as he is possessed of; and a writ of possession may issue upon such judgment and the action may proceed to trial for the residue, against the other defendant or defendants, and the return by the sheriff of having served any such writ on the defendants marked, served by him, shall be evidence of such defendant or defendants being in actual possession of the premises or part thereof.

Writs of ejectment not to abate for the death of either of the parties. Two verdicts on the same side to

**SECT. III.** *And be it further enacted by the authority aforesaid,* That no writ of ejectment shall abate by reason of the death of any plaintiff or defendant, but the person or persons next in interest may be substituted in the place of the plaintiff or defendant, who shall have died, pending the writ.

**SECT. IV.** *And be it further enacted by the authority aforesaid,* That where two verdicts shall in any writ of ejectment between the same parties be given in succession for the plaintiff or defen-

ant, and judgment be rendered thereon, no new ejectment shall be brought, but where there may be verdict against ver-  
 dict between the same parties and judgment thereon, a third  
 ejectment in such case, and verdict and judgment thereon shall  
 be final and conclusive; and bar the right, and the plea in eject-  
 ment shall be not guilty.

SECT. V. *And be it further enacted by the authority aforesaid,*  
 That so much of the act to which this is a supplement as pre-  
 scribes the form of execution, shall be, and the same is hereby  
 repealed: *Provided nevertheless,* That no writ of *Capias ad satisfaci-*  
*endum*, shall issue in any case where any defendant or defend-  
 ants may have real or personal estate, to satisfy the plaintiff's  
 demand, or if the whole cannot be satisfied, then only for the  
 residue thereof.

Repeal of  
 part of a for-  
 mer law.  
 Provide.

SECT. VI. *And be it further enacted by the authority aforesaid,*  
 That on the execution of a *Liberari facias*, where the defendant  
 or his tenant is in possession of the premises to be extended, the  
 sheriff shall deliver the actual possession thereof to the plaintiff  
 or his agent.

On a liberari  
 facias, the  
 plaintiff to be  
 put into pos-  
 session.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of April, one thousand eight  
 hundred and seven.

THOMAS M'KEAN.

# RESOLUTIONS.

## CHAPTER I.

**RESOLVED** *by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,* That in addition to the present number of copies of the Journals of the General Assembly, printed in the English language, there shall be six hundred copies printed and delivered into the office of the Secretary of the Commonwealth: *Provided,* The same be printed for ten dollars per sheet, for the present session.

An additional number of the English journals to be printed.

SIMON SNYDER, *Speaker of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twelfth day of January in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER II.

**RESOLVED** *by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,* That the Secretary of the Commonwealth be directed to furnish a copy of the edition of the laws of this state, printed by Mathew Carey and John Bioren, the property of this Commonwealth, to each member of the present legislature, who have not heretofore received them, in consequence of any former law or resolution; and also a copy of the trial of the judges of the supreme court, printed by William Hamilton; and a copy of the said laws and trials, to the assistant clerk of the Senate, and one copy to the assistant clerk of the House of Representatives: *Provided,* The Secretary of the Commonwealth has distributed so many of the copies of the trial of the judges of the supreme court, as he was authorized to procure under the resolution of the thirty-first of March, one thousand eight hundred and six; that a competent number is not now remaining in his office to supply the persons embraced in the present resolution; that the Secretary of the Commonwealth shall then, and he is hereby authorized to procure as many copies of said trial as may make up such deficiency: **AND ALSO,** That he be directed to furnish four copies

The secretary of the commonwealth to make a further distribution of Carey and Bioren's edition of the laws; And also of the trial of the judges of the supreme court, &c.

for the table of Senate, and four copies for the table of the House of Representatives: *Provided*, The same shall not exceed two dollars fifty cents, for each copy, well bound and lettered.

SIMON SNYDER, *Speaker*

*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—January the twenty-sixth, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

### CHAPTER III.

RESOLVED *by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met*, That the Secretary of the Commonwealth be, and he is hereby required to distribute the seventh volume of the laws of this state, printed by John Bioren, the property of this Commonwealth, as follows: *viz.* one copy thereof to the Governor; one copy to the Secretary of the Commonwealth; one copy to each member of this state, in the Congress of the United States; one copy to the Attorney-General; one copy to each Prothonotary of the Supreme Court; one copy to the Prothonotary of each county for the use of their respective courts; one copy to each of the Registers and Recorders of the several counties, for the use of their respective offices: *Provided*, That where the offices of Prothonotary, Register and Recorder, or any two of them, are held by the same person, such officer shall receive but one copy; four copies to the Clerk of the Senate, for the use of the Senate; ten copies to the Clerk of the House of Representatives, for the use of the House; one copy to each member of the Senate and House of Representatives; one copy to the Secretary of the Commonwealth, Comptroller-general, Register-general, Treasurer of the state, Receiver-general, Surveyor-general, Secretary of the Land office and Master of the Rolls, respectively, for the use of their respective offices; to the Clerk and Assistant-clerk of the Senate, and Clerk and Assistant-clerk of the House of Representatives, each one copy; to the Sergeant-at-arms and Door keeper of the respective Houses, each one copy; to the Board of Commissioners in each county of the state, one copy, for the use of the Board; to each Deputy-surveyor in the state, one copy; to the Sheriff of each county respectively, one copy; to each of the Judges of the several courts, one copy; to be delivered over by the said Deputy-surveyors, Sheriffs and Judges, to their successors in office; to the Mayor, Recorder and Aldermen, of the city of Philadelphia, one copy; the Secretary of the Senate and Clerk of the House of Representatives of the United States,

In what manner the seventh vol. of the laws, printed by J Bioren, is to be distributed.

one copy each, for the use of their respective houses ; and to the Legislature of each state in the Union, one copy ; and to the Deputy-secretary of the Commonwealth, one copy, together with the six volumes of Carey and Bioren's edition. AND BE IT FURTHER RESOLVED, That the Secretary of the Commonwealth be required to lay before the House of Representatives, a true statement or list of the names of the judges and justices of the peace in this state, to enable the legislature to distribute the seventh volume of the laws of this state, printed by John Bioren, among the said judges and justices. AND BE IT FURTHER RESOLVED, That the Secretary of the Commonwealth shall distribute the laws of the United States, passed during the second session of the eighth Congress, agreeably to a resolution passed the twenty-fifth day of March, in the year one thousand eight hundred and five.

Of the distribution of U. S. laws.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN.

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#### CHAPTER IV.

RESOLVED by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That it shall be the duty of the Surveyor-general of the Commonwealth, on any application now made, or which hereafter shall be made by any board of commissioners of any of the counties in which donation or depreciation lands are situate, or by any person or persons whom any of the said boards of commissioners may appoint or direct to make application for any such board to the Surveyor general, for any connected draft, map or chart of any donation district, or depreciation district or districts, or part or parts of districts, that the surveyor-general on any such application, shall cause to be made out a correct, certified copy or copies for the use of such board of commissioners, as having so applied for the same, shall require or direct ; and it shall be the duty of the Surveyor-general also, to mark in any particular plot or draft delineated or represented on any general map, draft or chart of any donation district or districts, or part or parts thereof, the date or period of time that each particular tract of donation land has been drawn by and under the authority of an act of this Commonwealth, dated the second day of April, one thousand eight hundred and two, entitled " An act to complete the benevolent intention of the legislature of this Commonwealth, by

The surveyor General on application, to furnish certified copies from the maps of donation or depreciation districts for the use of the commissioners of the counties in which they lie, &c.

distributing donation lands to all who are entitled thereto;" and should there not be convenient room to mark the dates of the respective tracts of land drawn under the aforesaid act, within the circumscribing lines of each tract so drawn respectively, then in such case, the Surveyor-general shall mark the number thereof, and the date when drawn, annexed in some convenient place on the margin of the general draft or of a schedule thereunto annexed in such manner, that the commissioners of the respective counties may be able to ascertain the time that any such tract of land may have been drawn; for which service the Surveyor-general is hereby authorized to receive four cents for each tract in every connected general draft of any donation or depreciation district, for the use of the Commonwealth.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of March, one thousand eight hundred and seven.

THOMAS M'KEAN,

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## CHAPTER V.

### In the General Assembly of the Commonwealth of Pennsylvania.

WHEREAS the General Assembly of this Commonwealth in their sessions of one thousand eight hundred four and five, when resolutions of a similar import with those now submitted to them from the General Assembly of the State of Maryland, relative to the importation of Slaves into the United States, were before them from the General Assembly of North Carolina, they fully expressed their abhorrence of the cruel and barbarous practice of trading in human beings; the present General Assembly of this Commonwealth, perfectly coinciding in the sentiments then expressed by their predecessors, deem it unnecessary at this time to repeat them, but as the period is now fast approaching when the National Legislature will have the Constitutional barrier to their acting removed, the General Assembly look forward with confidence, that as soon as that period arrives, the Congress of the United States will promptly exercise their power, to wipe off that foul stain which has long tarnished the American character; and most cheerfully do the General Assembly of this Commonwealth embrace the present opportunity of co-operating with their sister state of Maryland, in the discouragement of the importation of Slaves: Therefore,



Of prohibi-  
ting the im-  
portation of  
slaves into  
the U. S.

**RESOLVED**, That our Senators in the Congress of the United States, be instructed, and the representatives of this State, in the Congress of the United States, be earnestly requested to use all legal and constitutional measures, and their utmost exertions as soon as the same may be practicable, to prohibit the importation of Slaves into the United States, from any quarter of the Globe.

**RESOLVED**, That the Governor of this Commonwealth, be, and he is hereby requested to transmit a copy of the foregoing resolution to our Senators in the Congress of the United States, and the Representatives of this State, in the Congress of the United States, and to the Governor of the State of Maryland.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

**APPROVED**—the nineteenth day of March, in the year of our Lord, one thousand eight hundred and seven.

THOMAS M'KEAN.

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## CHAPTER VI.

Of the dis-  
tribution of  
the German  
journals.

**RESOLVED**, *by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met*, That the Secretary of the Commonwealth is hereby authorized and required to distribute the journals printed in the German language to the commissioners of the several counties, in the manner following: *to wit*, for the city and county of Philadelphia four copies of the journal of each house, for the county of Bucks five, for the county of Chester eight, for the county of Delaware three, for the county of Lancaster thirty, for the county of York thirty, for the county of Cumberland twenty, for the county of Berks thirty-four, for the county of Northampton thirty-four, for the county of Wayne four, for the county of Northumberland twenty-two, for the county of Washington six, for the county of Westmoreland twenty-two, for the county of Armstrong four, for the county of Indiana four, for the county of Fayette six, for the county of Bedford thirteen, for the county of Franklin thirteen, for the county of Montgomery thirteen, for the county of Dauphin twenty-two, for the county of Luzerne four, for the county of Huntingdon ten, for the county of Allegheny six, for the county of Beaver two, for the county of Butler four, for the county of Mifflin six, for the county of Somerset twenty-one, for the county of Cambria six, for the county of Greene four, for the county of Adams ten, for the county of Centre thirteen, for the county of Erie three, for the county of Warren four, for the county of Crawford four, for the county of Venango

two, and for the county of Mercer four copies; to be distributed by the county commissioners respectively, in the following manner; to the several constables of the proper county, if the number ordered above shall be sufficient; if not sufficient, then to the constables of such townships where the greatest number of Germans reside, to be left by them at the house where township elections are annually held for the use of the electors thereof: *Provided*, That where the number of copies hereby granted to any county shall exceed the number of constables therein, then the remaining copies shall be distributed among the supervisors of the highways, and to such other persons throughout the county as they shall conceive will use the same for the information of the people.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M. KEAN.

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## CHAPTER VII.

RESOLVED by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That for the future, no law whatever shall be published in the newspapers, which shall be paid for out of the treasury of this Commonwealth, unless directed by law

No laws in future, to be published in the newspapers at the expence of the state.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

We do hereby certify, That the foregoing resolution, relative to the publication of laws in the newspapers, was presented to the Governor on Thursday, the twenty-sixth ultimo, but was not returned by him within ten days (Sundays excepted) thereafter, and agreeably to the constitution it has become a law.

Lancaster, }  
April, 9th, 1807. }

MATTHEW HUSTON, *Clerk*  
of the House of Representatives.

GEO. BRYAN, *Clerk of the Senate.*

## CHAPTER VIII.

Such members of the legislature to be furnished with a copy of the laws, as may apply at the secretary's office for the same.

**RESOLVED** by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That it shall be the duty of the Secretary of the Commonwealth, to forward to the prothonotaries of the several counties in this State, a copy of the laws passed during the present session, to each of the members now representing such counties in the legislature, with the names of such members written on the title page of their copies respectively, as may apply at the secretaries office for that purpose, and it shall be the duty of the prothonotaries to deliver said copies to such members as soon as they shall be applied for, after such prothonotary has received the same: *Provided always*, That such members shall not be entitled to receive another copy at the next session of the legislature.

SIMON SNYDER, *Speaker*  
of the House of Representatives

P. C. LANE, *Speaker of the Senate.*

**APPROVED**—the tenth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER IX.

**RESOLVED** by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the Governor be, and he is hereby directed to transmit to the President of the United States, a copy of the act, entitled "An act authorizing the President of the United States, to open a road through that part of this State, lying between Cumberland and the State of Maryland, and the Ohio river."

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

**APPROVED**—the tenth day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER X.

**In the General Assembly of the Commonwealth of Pennsylvania.**

**WHEREAS** the General Assembly of this Commonwealth entertain no doubt but the Legislature of Kentucky had such information before them, touching the improper conduct of the

corporations of Natches and New Orleans, in imposing a tax upon Boats and Crafts conveying the produce of the Western country, to foreign markets ; and relative to the improper conduct of the collectors appointed by Congress at one of those ports, as was deemed fully sufficient to induce them to adopt and forward a resolution to Congress, to redress those grievances ; but as the Legislature of Pennsylvania have not that evidence before them, they do not conceive themselves justified in giving specific instructions to their representatives in the Senate of the United States, or recommending certain measures to their delegates in the House of Representatives, yet they conceive it to be their duty not only to sympathize, but to afford their aid to obtain a redress of any grievance under which the citizens of our own or a sister State labour : Therefore,

**RESOLVED** *by the General Assembly of the Commonwealth of Pennsylvania*, That the Senators from this State in Congress, be and they are hereby instructed, and the Representatives from this State, in the House of Representatives, requested carefully to inquire whether any improper conduct has been used, or illegal impositions have been practised upon the citizens of the Western country, transporting their produce to market, by the corporate bodies of Natches and New Orleans, or by collectors appointed by Congress at one or both of those ports ; and if such illegal and improper conduct has been practised, to use their utmost exertions to obtain a complete redress of such grievances.

**RESOLVED**, That the Governor be and he is hereby required to transmit a copy of the foregoing resolution to the Senators and Representatives from this State, in the Congress of the United States, and to the Executive of the State of Kentucky,

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

**APPROVED**—the thirteenth day of April, one thousand eight hundred and seven.

THOMAS M'KEAN.

## CHAPTER XI.

**RESOLVED** *by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met*, That the Secretary of the Commonwealth is hereby authorized to receive proposals for printing, and under the direction of the Governor, shall cause to be printed and bound, a sufficient number of copies of the act, entitled "An act for the regulation of the Militia of the Commonwealth of Pennsylvania," passed the present session ; together with the rules and regulations for the discipline

Relative to the publication of the militia law.

of the troops of the United States, by the Baron Steuben ; who shall cause the adjutant-general shall, on or before the third Monday in June next, cause to be distributed in manner following : viz. to every general and field-officer, and brigade-inspector, one copy ; to every captain, for the use of his company, one copy ; and to every adjutant, paymaster and quarter-master, one copy ; and shall also under the direction of the Governor, cause to be printed and bound, a sufficient number of the articles of War for the government of the armies of the United States, passed on the tenth day of April, one thousand eight hundred and six, and shall cause the same to be distributed in such manner that each general officer, field-officer and brigade-inspector may have one copy, and the expence of printing, binding and distributing the same, shall be allowed in the settlement of his accounts with the register-general ; and it shall be the duty of any officer having such copy, on his going out of office, on demand made, to deliver under the penalty of five dollars to the successor in office, the aforesaid copy.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirteenth day of April, one thousand eight hundred and seven.

\* THOMAS M. KEAN.

# ACTS

OF THE

## GENERAL ASSEMBLY

OF THE

# Commonwealth of Pennsylvania,

PASSED

*AT A SESSION, WHICH WAS BEGUN AND HELD*

AT THE

BOROUGH OF LANCASTER,

ON TUESDAY, THE FIRST DAY OF DECEMBER, IN THE  
YEAR OF OUR LORD, ONE THOUSAND EIGHT  
HUNDRED AND SEVEN.

AND OF

*THE INDEPENDENCE OF THE UNITED STATES OF  
AMERICA, THE THIRTY-SECOND.*

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PUBLISH<sup>it</sup><sub>ct.d</sub> BY AUTHORITY.

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*PHILADELPHIA:*

PRINTED BY JOHN BIOREN, No. 88, CHESNUT-STREET.

.....X.....

1908

**I Certify, THAT** in obedience to the directions of an Act of the General Assembly of the Commonwealth of Pennsylvania, I have collated with, and corrected by the original rolls, the proof sheets of the printed copies of this edition of the Laws and Resolutions of the General Assembly, passed during their last session.

**T. M. THOMPSON,**  
*Secretary of the Commonwealth.*

*Secretary's Office, at* }  
*Lancaster, May 12th 1808.* }

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# ACTS

OF THE

## GENERAL ASSEMBLY

OF

### PENNSYLVANIA.

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#### CHAPTER I.

*An ACT to alter and amend the several Laws of this Commonwealth, relative to Domestic Attachments.*

**SECTION I.** *BE it it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful* The courts of common pleas authorized to issue writs of attachment, &c. *for the respective courts of common pleas, on the oath or affirmation of any creditor or creditors, or any other credible person for him or them, of the truth of his or their debt, and that his or their debtor or debtors have absconded or departed from the place of his or their usual abode in this state, or remained absent from the state, or have confined him or themselves in his or their own house or houses, or concealed him or themselves elsewhere, with design, as is believed, to defraud his or their creditors; and that the said debtor has not left a clear real estate in-fee-simple within this state sufficient to pay his debts, so far as such deponent knows or believes, to issue writs of attachment against all the lands, tenements, goods and chattels of such person or persons so absconding, absenting, confining or concealing him or themselves: Provided always, That the said departure, absence or concealment shall be proved by the oath or affirmation of a disinterested witness.*

**SECT. II.** *And be it further enacted by the authority aforesaid, That the sheriff or coroner to whom the said writs of attachment shall be directed, shall attach all the lands,*

What property may be attached.

To be appraised and inventoried.

How it may be disposed of, if of a perishable nature.

Trustees to be appointed to audit the accounts and adjust the demands of defendant's creditors.

their qualifications.

They may take into their possession, and shall be deemed vested with all the estate of defendant, at the time of issuing the attachment, &c.

goods, chattels and effects of the defendant or defendants in whose hands soever the same can be found ; and that all the said chattels and effects, attached by-virtue of such writs, shall forthwith be appraised, inventoried and secured by the officer who executes the writs ; and in case any perishable goods be attached, it shall be lawful for any judge of the court from which the process issued, in his discretion, to order such goods to be sold ; and the monies arising from such sale shall be received by the sheriff and paid over by him to the trustees to be appointed in pursuance of this act.

**SECT. III.** *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said court, on the return of the said writ, to appoint three honest and discreet men to be trustees for all the creditors of such debtor, with power to audit the accounts, and to adjust the demands of all the defendant's creditors, and to settle their shares or proportions of the defendant's estate, and make report of their proceedings therein to the said court ; and the said trustees shall, before they proceed, take an oath or affirmation, to be administered by the court appointing them, well and truly to execute the trust reposed in them, according to the best of their skill and understanding ; and the said court shall allow them a reasonable compensation for their trouble, out of the property attached as aforesaid.

**SECT. IV.** *And be it further enacted by the authority aforesaid,* That the said trustees shall and may take into their possession all the estate of such debtor, whether attached as aforesaid, or afterwards discovered by them, and all books, vouchers and papers relating to the same ; and the said trustees shall be deemed vested with all the estate of such debtor at the time of issuing the said attachment ; and shall be capable to sue for and recover the same, and all debts and things in action, due or belonging to such debtor at that time or at any time thereafter, and all the estate attached as aforesaid, shall be by the sheriff who took the same, delivered over to the said trustees : *Provided always,* That in case of a *bona fide* purchase made, or assignment taken from or under such debtor for a valuable consideration by any person having no notice or knowledge of the attachment, such purchase or assignment shall not be invalidated or impeached : *And provided also,* That if any person, indebted to the party against whom an attachment has been issued as aforesaid, or having the possession of any of his property, shall *bona fide* pay the said debt, or deliver the said property to the said party with-

out notice or knowledge of the attachment, he or she shall not be liable to pay or deliver the same to the trustees.

**SECT. V.** *And be it further enacted by the authority aforesaid,* That if such debtor, against whom an attachment shall have been issued as aforesaid, shall, prior thereto, have conveyed to any of his or her children or other persons, any lands or goods, or transferred his or her debts or demands into other persons names, with intent to defraud his or her creditors, the said trustees shall have power to recover and dispose of the same, in as effectual a manner as if the said defendant had been actually seized or possessed thereof.

Proviso in favour of bona fide purchasers or assignees without notice, &c.

**SECT. VI.** *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the said trustees to make public sale and assurance of all the lands and tenements, goods and chattels belonging to such debtor, which shall be good and effectual in law, against him, his heirs, executors and assigns; and it shall and may be lawful for the said trustees to grant and assign, or otherwise to order or dispose of, all or any of the debts, due or to be due to and for the benefit of said defendant, to the use of his creditors; and the same grant, assignment or disposition of the said debts, shall vest the right and interest thereof in the person or persons to whom it shall be so granted, assigned or ordered, so that such assignees may sue for and recover the said debts, in their own names, and detain the same to their own use; and that after such grant, assignment or disposition made of the said debts, neither the said defendant, nor any other to whom such debts shall be due, shall have power to recover the same, nor to make any release or discharge thereof.

Property previously conveyed by defendant, with intent to defraud creditors, may be recovered and disposed of by trustees.

Empowered to make sale of defendant's lands, &c.

**SECT. VII.** *And be it further enacted by the authority aforesaid,* That if the said defendants shall have conveyed or assured any lands, goods, or estate unto any person upon condition or power of redemption, by payment of money or otherwise, it shall be lawful for the said trustees, or for any person by them duly authorized for that purpose, by writing under their hands and seals, to make tender of money or other performance, according to the nature of such condition, as fully as the said defendant might have done, and the said trustees, after such performance or tender, shall have power to sell and dispose of such lands, goods, and estate for the benefit of the creditors.

And to assign or otherwise dispose of debts due to him.

Empowered to redeem lands, &c. conveyed by defendant, with power of redemption, and afterwards dispose of the same.

**SECT. VIII.** *And be it further enacted by the authority aforesaid,* That the said trustees shall, immediately on their appointment, give notice thereof in two newspapers, printed in the city of Philadelphia, and in one newspaper in the county in which the attachment issued, or if there shall be no

To give public notice of their appointment, &c.

How controversies relative to demands due to or by defendant are to be decided.

Trustees empowered to examine, upon interrogatories, all persons supposed to be indebted to defendant, &c.

And may cause to be broken open the houses, &c. of defendant to come at his effects.

*Bona fide* debts payable at a future day, placed on a footing with debts payable presently.

Mutual debts may be set off against each other.

newspaper printed in such county, then by setting up four advertisements in four of the most public places in the county in which the attachment issued, and require all persons, indebted to the defendant, to pay and deliver all sums of money and property, due and belonging to such debtor, to the said trustees, and also to desire all creditors of the defendant to deliver to them their respective accounts and demands; and if any controversy shall arise, concerning any claim by any creditor, or concerning any debt or demand claimed by the said trustees, the trustees may agree with the opposite party to refer the decision of the said controversy to arbitrators, mutually chosen, and if the parties will not agree to a reference, an issue shall be made up between them, and a jury shall be empannelled as in other cases to try the same.

SECT. IX. *And be it further enacted by the authority aforesaid,* That the said trustees may summon before them and examine all persons supposed to be indebted to the defendant, and such other persons as they shall think fit upon interrogatories or otherwise on oath or affirmation, which they are hereby empowered to administer touching the lands, tenements, goods, chattels or effects of the defendant, and such other things as may tend to disclose their estates, or their secret grants or alienation of their effects; and if such persons shall refuse to attend, or shall refuse to be sworn or affirmed and to make answer to such questions or interrogatories as shall be administered, it shall be lawful for the trustees to commit such persons to prison, there to be detained until they shall submit themselves to be examined in manner aforesaid. And the said trustees may by warrants under their hands and seals, cause to be broke open any houses, chambers, shops, warehouses, door, trunks, or chests of the defendants, where their goods or effects shall be or reputed to be, and seize the same for the use of their creditors.

SECT. X. *And be it further enacted by the authority aforesaid,* That every person, who shall have, *bona fide*, given credit to or taken securities payable at future days from such debtor not due at the time of the issuing of the said attachment, shall be admitted to prove their debts and contracts as if they were payable presently, and shall have a dividend in proportion to the other creditors, discounting where no interest is payable at the rate of so much per centum per annum as is equal to lawful interest, and where mutual credit has been given by such debtor and any other person, or mutual debts between them at any time before the issuing of the attachment, the trustees shall state the account between them, and one debt may be set off against the other, and what shall appear to be due on either side on the balance of

such account after such set off, and no more, shall be claimed or paid on either side respectively.

**SECT. XI.** *And be it further enacted by the authority aforesaid,* That at some time after the expiration of six months, and within nine months from and after the first public notice aforesaid, the said trustees shall proceed to make distribution among the creditors in proportion to their respective just demands of all monies that shall come to their hands for that purpose, first deducting thereout all legal charges and commissions; in which payment no preference shall be allowed to debts due on specialties; and if the whole of such debtor's estate be not then distributed, the said trustees shall at the expiration of three months thereafter, make a second dividend of all such monies as shall have come to their hands after the first division, and so from each period of three months, until a distribution shall have been made as aforesaid of all the estate of such debtor.

When trustees are to make distribution among the creditors No preference to be allowed to debts on specialties, &c.

A majority of the trustees to be a quorum for business.

**SECT. XII.** *And be it further enacted by the authority aforesaid,* That a majority of said trustees, may exercise all the powers and perform the duties herein given to, and required of them, and in case of vacancy the court shall supply the same by a new appointment or appointments.

How vacancies are to be supplied

**SECT. XIII.** *And be it further enacted by the authority aforesaid,* That if the said debtor or any person on his or her behalf shall at any time during the term to which the process of attachment was returnable disprove the facts of absconding, absence or concealment, upon which the attachment was grounded, the court shall and may dissolve the same.

In what case the attachment may be dissolved.

**SECT. XIV.** *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the plaintiff in any case of attachment issued under or by virtue of this act to cause to be inserted in the body of the writ, a clause of *capias* against the garnishee, under the same rules and regulations as are prescribed by law in cases of foreign attachment.

The writ of attachment may contain a clause of *capias* against the garnishee.

**SECT. XV.** *And be it further enacted by the authority aforesaid,* That the jurisdiction of the justices of the peace and aldermen shall be and the same is hereby extended to all cases of attachment authorized by this act, where the debt or demand of the plaintiff does not exceed one hundred dollars, subject otherwise to the same rules, regulations and restrictions prescribed in and by an act entitled "An act for regulating attachments not exceeding five pounds," passed on the twenty-second day of August, one thousand seven hundred and fifty-two; provided that the penalty on the justice mentioned in the first section of said act, be extended to one hundred dollars.

Justices of the peace and aldermen to have cognizance in all cases of attachment where the demand does not exceed one hundred dollars, &c.



**SECT. XVI.** *And be it further enacted by the authority aforesaid,* That justices of the peace and aldermen shall have the like power with the courts of common pleas, to dissolve writs of attachment in cases within their jurisdiction, and upon the same proofs; provided that application be made for that purpose within twenty days after the return of the writ.

**SECT. XVII.** *And be it further enacted by the authority aforesaid,* That no second or other attachment shall be issued against, or served upon the estate or effects of the same defendant unless the first attachment be not executed or be dissolved by the court, and that the overplus of the said debtor's estate if any there be, after all their debts and lawful charges are deducted, shall be returned to such debtors, their executors or administrators.

**SECT. XVIII.** *And be it further enacted by the authority aforesaid,* That the death of the debtor after the issuing of the attachment shall not abate or affect the proceedings thereon, but the same shall go on to a final conclusion, and with equal validity, as if such debtor had lived.

**SECT. XIX.** *And be it further enacted by the authority aforesaid,* That nothing in this act contained, shall be construed to alter or affect the laws of this Commonwealth relative to foreign attachments.

**SECT. XX.** *And be it further enacted by the authority aforesaid,* That so much of any Act of Assembly as is hereby altered or supplied, be and the same is hereby repealed: *Provided,* That the said repeal shall not affect any proceedings already commenced under such act or acts, but the same may be continued as though this act had not been passed.

**SIMON SNYDER** *Speaker  
of the House of Representatives.*

**P. C. LANE** *Speaker of the Senate.*

**WE DO CERTIFY,** That the bill entitled " An act to alter and amend the several laws of this Commonwealth, relative to domestic attachments was presented to the governor for his approbation near the close of the last session of the general assembly, and was not returned by him within three days after the meeting of the present: therefore agreeable to the constitution has become a law.

Lancaster, } **J. THACKARA** *Clerk of the House  
Decem. 4th, 1807. }* *of Representatives.*  
**GEO. BRYAN,** *Clerk of the Senate.*

## CHAPTER II.

*An ACT to enable Ann Rambo, executrix, and Jacob Shainline, executor of the last will and testament of Abraham Rambo, to execute a deed of conveyance for a lot of ground in Upper Merion township, Montgomery county.*

**W**HEREAS it satisfactorily appears to the Legislature, that Abraham Rambo did in his life-time sell a lot or piece of land, situate in Upper Merion township, Montgomery county, containing about three acres and eighty-seven perches, to William Bailey, of the place aforesaid, who is in possession of, and who has improved the said lot, and paid the full consideration therefor: And that the said Abraham Rambo never did execute a deed of conveyance, nor any other instrument of writing by which, agreeably to the existing laws of this Commonwealth, a title could be vested in the said William Bailey, and which now cannot be accomplished without an act of the Legislature: Therefore,

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Ann Rambo, executrix, and Jacob Shainline, executor of the last will and testament of Abraham Rambo, deceased, be, and they are hereby authorized to execute a deed of conveyance to William Bailey, his heirs and assigns, for a lot of ground, situate in Upper Merion township, Montgomery county, containing about three acres and eighty-seven perches, with the appurtenances, which deed, so executed, shall be as good and as available in law, as if it had been duly executed by the said Abraham Rambo in his life-time.

The representatives of Abram Rambo deceased, empowered to convey a lot of ground to Wm. Bailey.

**SIMON SNYDER,** *Speaker  
of the House of Representatives.*

**P. C. LANE,** *Speaker of the Senate.*

**APPROVED**—the eighteenth day of December, one thousand eight hundred and seven.

**THOMAS M'KEAN.**

## CHAPTER III.

*An ACT to extend an act entitled "An act to authorize the Secretary of the Land-office to sign Patents for Lands, and Land Warrants."*

The original  
act contin-  
ued for a  
limited time.

*BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An act to authorize the Secretary of the Land-office to sign patents for land, and land warrants," passed on the fourth day of April, one thousand eight hundred and seven, be, and the same is hereby extended, and the same shall be in full force and operation until the first day of January, which will be in the year one thousand eight hundred and eighteen.*

*SIMON SNYDER, Speaker  
of the House of Representatives.*

*P. C. LANE, Speaker of the Senate.*

*APPROVED—the twenty-fourth day of December, one thousand eight hundred and seven.*

*THOMAS M'KEAN.*

## CHAPTER IV.

*An ACT to incorporate the Trustees of the Second Baptist Church and Congregation in Philadelphia.*

*WHEREAS a number of individuals have associated themselves in a religious society under the name of the Second Baptist Church and Congregation in Philadelphia, have erected a house of public worship, and have acquired some additional property: And whereas the trustees of the said church and congregation have petitioned the Legislature to grant them a charter of incorporation agreeable to certain articles of agreement entered into, between the members thereof: Therefore,*

Trustees in-  
corporated.

*SECTION I. BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Samuel Bower, Isaac White, Jacob Keen, Isaac Johnson, Thomas Timings, John Collard and Cornelius Trimnul, the present trustees of the said church and congregation, and their successors duly elected, be and they are hereby made and constituted a corporation and body politic in law and in fact by the name, style and title of the*

trustees of the Second Baptist Church and Congregation in Philadelphia, and shall have all the rights and powers incident by law to a corporation. Style of the corporation.

**SECT. II.** *And be it further enacted by the authority aforesaid,* That the estate and property now held, and which shall hereafter be acquired by the said church, shall be vested in the said trustees and their successors who shall by the name and title aforesaid; be able and capable in law to purchase, receive, take and hold for the use and benefit of the church and congregation aforesaid, any lands, tenements, or hereditaments, and any sum or sums of money, goods, and chattels by the gift, alienation, devise or bequest of any person or persons bodies, politic or corporate, capable to make the same: *Provided,* That the clear yearly value of the real estate of the said corporation, and the interest of its monies shall not exceed the sum of three thousand dollars.

Church property vested in the trustees, who are enabled to take and hold, for the use of the church, further property, not exceeding a given sum.

**SECT. III.** *And be it further enacted by the authority aforesaid,* That the following articles shall be fundamental laws of the said corporation. *First,* the election of trustees, four of whom shall be members of the church, and three of the congregation, shall be held annually on the first Monday in April, between the hours of two and five in the afternoon. *Second,* in case of a vacancy occasioned by death or otherwise of any of the trustees, elections shall be held to fill such vacancies, and public notice given from the pulpit of the time of such elections, notifying to the church and congregation to attend for that purpose. *Third,* that committees from time to time shall be appointed belonging to both church and congregation, to transact all business relative to the temporal concerns of the church. *Fourth,* that the church shall have the sole right to the government thereof in all spiritual concerns, and to the nomination of a minister or pastor; but after such nomination by the church shall have taken place, the congregation shall be called together and have a joint vote with the church in the call of a pastor. *Fifth,* that by the congregation is understood all unbaptised persons who pay towards the support of divine worship, or are paid for, provided they have attained the age of twenty years. *Sixth,* that if a minister or pastor shall deviate either in principle or practice from the church, it shall remain with the church only to dismiss him from his office. *Seventh,* an account current of the receipts and disbursements of said

Fundamental laws of the corporation.

church shall be laid before the board of trustees the first Monday in March in every year.

**SIMON SNYDER** *Speaker*  
*of the House of Representatives.*

**P. C. LANE** *Speaker of the Senate.*

APPROVED—the eighteenth day of January, in the year one thousand eight hundred and eight.

**THOMAS M'KEAN.**

## CHAPTER V.

*An ACT vesting a title to sixty acres of land in Somerset township, Somerset county, in certain trustees and their successors, for the benefit of a congregation composed of Presbyterians and Lutherans.*

**WHEREAS** it has, by petition, been represented to the Legislature, by some of the members of a congregation composed of Presbyterians and Lutherans, that said congregation have erected a school house on a tract of land containing about sixty acres, situate in Somerset township, in Somerset county, which tract is the property of this commonwealth, and the congregation but few in number, they therefore have prayed the Legislature to vest a title in certain trustees and their successors, for the benefit of the said congregation; in enabling them to promote piety and diffuse useful learning: *And whereas* it is just and consistent with a generous policy, which ought to be pursued in Republican Governments, to aid their less wealthy citizens in establishing useful institutions: Therefore,

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the officers of the Land-office are hereby authorized and required to issue a warrant and complete a title, clear of purchase money and office fees, for sixty acres of land situate in Somerset township in Somerset county, adjoining lands of John Neel, Frederick Morstoller, Nicholas Schneider and others, unto Andrew Wey, Jacob Swank and Henry Sharer and their successors in trust and for the sole

Grant in favor of the congregation of Presbyterians and Lutherans in Somerset county.

use and benefit of the congregation of Somerset township, composed of Presbyterians and Lutherans.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the eighteenth day of January, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER VI.

*An ACT to empower the Corporation of the German Reformed Congregation, in Germantown in the county of Philadelphia, to sell and convey a certain Messuage and Lot of Ground therein mentioned.*

**W**HEREAS the society stiled "The Minister, Trustees, Elders and Decons of the German Reformed Congregation in Germantown, in the county of Philadelphia, in the province of Pennsylvania," by their petition to the General Assembly, have represented that they purchased from Jacob Rohrer, and Mary, his wife, who was the administratrix to the estate of Henry Keyser, late of Cheltenham township, in the county of Montgomery, powder-maker, deceased, a certain messuage or tenement, and lot or piece of ground, situate on the southwesterly side of the Germantown great road in Germantown in the county of Philadelphia, containing two acres, and one quarter of an acre more or less: That they had lately purchased from the administrators of John Fromberger deceased, a messuage and lot of ground in Germantown aforesaid, immediately adjoining their church and burying ground for a parsonage; and that their funds were inadequate to pay off the whole of the purchase money of the premises so purchased from the administrators of the said John Fromberger deceased, without selling the aforesaid messuage and lot of ground, purchased of the administratrix of the said Henry Keyser deceased, but which they had no power or authority to do by the terms of their charter, and therefore prayed that an act of Assembly might be passed, granting them authority to sell and convey the said premises purchased from the administratrix of the said Henry Keyser deceased, for the purposes aforesaid. And whereas it appears reasonable that such power should be granted: Therefore,

SECT. I. *BE it enacted by the Senate and House of Represen-*

Minister,  
trustees, &c.  
empowered  
to sell, &c.

*tatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful to and for the society styled "The Minister, Trustees, Elders and Deacons of the German Reformed Congregation in Germantown, in the County of Philadelphia, in the Province of Pennsylvania," to sell a certain messuage or tenement and lot of ground situate on the southwesterly side of the Germantown great road in Germantown, bounded by lands now or late of Michael Keyser and John Crout, and by a twenty-four feet road, or passage which was conveyed to them in fee simple (by deed of the tenth of May, one thousand seven hundred and ninety four. Recorded in deed book No. 61, page 392,) by Jacob Rohrer and Mary his wife, who was administratrix of Henry Keyser, containing two acres and a quarter more or less with the appurtenances at and for the best price that can be reasonably obtained for the same, and upon receipt of the purchase money or mortgage security therefor, to grant and convey the said premises to the purchaser or purchasers thereof, his, her or their heirs and assigns in fee simple.*

**SIMON SNYDER, Speaker**  
*of the House of Representatives.*

**P. C. LANE, Speaker of the Senate.**

**APPROVED**---the eighteenth day of January, in the year one thousand eight hundred and eight.

**THOMAS M'KEAN.**

## CHAPTER VII.

*An ACT to raise by way of lottery, a sum of money for the purpose of completing a Meeting House in the Township of Shamoken, Northumberland County.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Alexander Moore, William Kase, John Kelly, Silvanus Bird, Samuel Moore, be and they are hereby appointed commissioners to raise by way of lottery, eight hundred dollars to be by them applied towards the finishing and completing of the Presbyterian meeting-house in the township of Shamoken in the county of Northumberland.*

Commissioners appointed to raise, by way of lottery, 800 dollars.

How to be applied.

**SECT. II.** *And be it further enacted by the authority aforesaid, That the said commissioners respectively before they*

proceed to sell any tickets in the said lottery, shall lay such scheme thereof before the Governor as shall meet his approbation, and shall respectively enter into bonds to him for the due and faithful performance of their duty in selling the tickets, drawing the lottery and paying the prizes, and each of them before entering on the duties of his appointment, shall take and subscribe an oath or affirmation before the president of the proper district or any of the associate judges of the proper county, diligently and faithfully to perform the duties intrusted to him, and at least three of the said commissioners shall attend each day's drawing of the said lottery; and when it is completed, the commissioners respectively, or a majority of them, shall cause an accurate list of the fortunate numbers to be published in the following newspapers, *viz.* The Northumberland Argus and Kennedy's Gazette.

The commissioners, before they proceed to sell the tickets, to lay the scheme before the Governor for his approbation, and enter into bonds for the faithful performance of their duties. &c.

**SECT. III.** *And be it further enacted by the authority aforesaid,* That the said commissioners be, and they are hereby authorized to settle and adjust all the accounts which may be exhibited by any person or persons legally employed in carrying this act into effect, and that all expences attending the same, shall be paid by the said commissioners out of the proceeds of the said lottery.

Authorized to adjust accounts, &c.

**SECT. IV.** *And be it further enacted by the authority aforesaid,* That all prizes not demanded within twelve months next, after publication as aforesaid, shall be considered and deemed as relinquished for the benefit of the aforesaid congregation.

What prizes shall be deemed to be relinquished, &c.

**SIMON SNYDER,** *Speaker  
of the House of Representatives.*

**P. C. LANE,** *Speaker of the Senate.*

**APPROVED**---the eighteenth day of January, in the year one thousand eight hundred and eight.

**THOMAS M'KEAN.**

## CHAPTER VIII.

*An ACT to establish a public Ferry on the east side of the river Susquehanna in the county of Dauphin, and to vest the right thereof in William Moorhead, his heirs and assigns.*

**SECTION 1.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Moorhead, his heirs and assigns, shall have the right at his or their own costs, to establish a

The right to establish a



ferry over the Susquehanna on the road leading from Harrisburgh through Selin's grove to Sunbury, vested in William Moorhead and his assigns. make a good and convenient landing on the east side of the river Susquehanna, on the estate of the said William Moorhead, situate on the great road leading from Harrisburgh through Selins Grove to Sunbury in the county of Northumberland, and the owner or occupiers shall keep the same in good order and repair, fit for men horses and carriages to pass, and shall keep a good substantial boat or boats and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of transporting travellers and others over the said river, and for services rendered shall receive such price as is customarily paid at other ferries on said river, and the said ferry shall moreover be subject to such rates and regulations as the court of quarter sessions of the county of Dauphin may order and direct: *Provided always*, that nothing in this act contained shall be construed so as to vest the said William Moorehead or his legal representatives with a right to receive or discharge any travellers, carriages or other loading on land, belonging to any other person, without the consent of the owner.

SIMON SNYDER *Speaker*  
of the House of Representatives.

P. C. LANE *Speaker of the Senate.*

APPROVED—the eighteenth day of January, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER IX.

*An ACT to change the name of John Powel Hare to John Hare Powel.*

**W**HEREAS it has been represented by John Hare Powel, son of Robert Hare of the city of Philadelphia, that at the request of a near relation, he has deemed it expedient and has agreed to change his name from John Powel Hare to John Hare Powel, and he has prayed the Legislature to sanction and confirm the said change of name: Therefore,

**SECTION. I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said John Hare Powel, formerly John Powel Hare, shall henceforth be called and known by the name of John Hare Powel, and by the same name shall be able and capable in law to sue and be sued, grant and receive and

Provision in  
favor of John  
Hare Powel.

do all other legal acts as effectually to all intents and purposes as he could have done by his former name, if no change had been made therein.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED---the eighteenth day of January, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

CHAPTER X.

An ACT supplementary to An Act "entitled, An Act for establishing the seat of Justice in the county of Tioga, and for other purposes.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Dixon of Delmar township, and Samuel W. Morris of Wellsborough in Tioga county be, and they are hereby appointed Trustees for the county of Tioga, in the room and stead of William Ellis, deceased, and of William H. Wells who has resigned, and the said James Dixon, and the said Samuel W. Morris, together with John Fleming the other Trustee, or a majority of them, are hereby invested with all and every the powers and authorities, and subjected to all the duties which were or are by law vested in, or required of the Trustees of the said county, and that in case of vacancy hereafter happening by death, resignation or otherwise, the Governor shall be, and hereby is authorized and empowered to supply the same from time to time by new appointments.

Two trustees appointed for Tioga county to fill vacancies.

Powers of the trustees. How future vacancies are to be supplied.

SECT. II. *And be further enacted by the authority aforesaid,* That the trustees for the county of Tioga, for the time being, or a majority of them, shall be and hereby are authorized and empowered to appropriate such part of the money arising from the sales made, or which hereafter may be made of lots in the town of Wellsborough, in the said county, as may be necessary for that purpose to the opening of the streets and lanes, and to the cutting down and clearing away the timber now upon that moiety of the said town, which has been conveyed to the said trustees for the use of

Further powers of the trustees.

Powers and duties of the trustees to be vested in the county commissioners when elected.

the said county as well as to the proper fencing of the same, and afterwards to lease out from year to year upon the most advantageous terms, such part of the land so cleared as the said trustees or a majority of them may deem necessary, and the commissioners of the said county of Tioga shall when elected, have power and are hereby required to do and perform such part of the duties enjoined by this Act on the trustees as shall remain unperformed at the time of their election.

**SECT. III.** *And be it further enacted by the authority aforesaid,* That the citizens inhabitants of the said county of Tioga, who are or shall be qualified to elect members of the Legislature, agreeably to the constitution and laws of this Commonwealth, shall at the ensuing general election to be held on the second Tuesday of October next, at the usual election districts in said county, elect three county commissioners, who, when duly elected and qualified to enter on the duties of their offices shall have and enjoy all and singular such authorities and privileges with respect to their county, and shall receive such compensation as commissioners elected in and for any other county have by law, and the duration of the office, and of said commissioners respectively shall be determined in like manner, and their places supplied as is directed by law on the erection of a new county; and on the election of the said commissioners, the powers of the commissioners of Lycoming county shall cease and determine in the said county of Tioga. And the court of quarter sessions of Lycoming county, shall have power and are hereby required from time to time to appoint auditors to settle the accounts of the officers of the county of Tioga in the like manner, and with the like authorities as they may by law appoint auditors in the county of Lycoming: *Provided always,* that all and singular the costs and expences in laying out, and opening roads, all costs chargeable to the county of Tioga arising from criminal prosecutions, instituted against persons within said county, and all other costs and expences incidental to said county, and which of right should be paid by the same, on account of the jurisdiction of the several courts of Lycoming, and the authority of the judges thereof extending over the said county of Tioga, shall be paid by the treasurer of the county of Tioga, on orders drawn by the commissioners of the county of Lycoming, and countersigned by the commissioners of the county of Tioga, and all such incidental costs and expences shall be apportioned between the said counties in proportion to their respective ratios of taxation.

County commissioners to be elected at the usual time and in the usual manner;

their powers, privileges and compensation.

Duration of office, and of supplying vacancies, &c

Court of Quarter-sessions of Lycoming county to appoint auditors for Tioga county.

Proviso.

SECT. IV. *And be it further enacted by the authority aforesaid,*

That it shall and may be lawful for the commissioners aforesaid, or their successors, to call on the commissioners of the county of Lycoming, for the purpose of examining, liquidating and receiving such balances as shall be found due to the said county of Tioga, and received to the use of the same, by the act of the general assembly of this commonwealth, passed the third day of February, Anno Domini one thousand eight hundred and six. And if on examination, it be found that a balance is due from the county of Tioga to the county of Lycoming, then it shall be the duty of the commissioners of Lycoming to call upon the commissioners of Tioga county, and recover said balance.

Commissioners of Tioga empowered to call on the commissioners of Lycoming county for any balances that may be found due said county, &c.

SECT. V. *And be it further enacted by the authority aforesaid,*

That so much of any act or acts of the general assembly as is altered or supplied by this act, be and the same is hereby repealed.

Repealing clause.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the first day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

CHAPTER XI.

*An ACT to declare certain Parts of Muddy Creek, in the county of Crawford a Public Highway.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same.*

That from and after the passing of this act, Muddy creek from its junction with Hucheson's saw-mill run, to its confluence with French creek shall be, and the same is hereby declared a public highway for the passage of rafts, boats and other water carriage, under the limitations and restrictions hereinafter specified; and it shall and may be lawful for the inhabitants desirous of using or promoting the navigation of said creek, to remove all natural obstructions in said part or parts of said creek, from the mouth of said saw-mill run to French creek, as may be necessary for the passage of rafts, boats, and other water carriage.

Part of Muddy creek declared a public highway.

SECT. II. *And be it further enacted by the authority aforesaid,* That nothing in this act contained, shall be deemed, taken or understood, to prevent any person or persons possessing lands on the said creek, who before the passing of this act had authority

Provision in favor of persons possessing lands on said creek, &c.

under the laws of this commonwealth to erect a dam or dams, from erecting any such dam or dams that he, she or they may think proper: *Provided Always*, That such dam or dams shall be so constructed and kept in repair, with such a proper slope or slopes, or with a lock or locks, whereby the navigation of the said creek shall not be injured.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate*.

APPROVED—the first day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN

## CHAPTER XII.

*An ACT declaring Part of Lackawaxen Creek in Wayne County, a Public Highway.*

SECT. I. *BE it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Lackawaxen river in the county of Wayne, from the falls thereof to the Dyberry forks, and thence up the Dyberry branch and West branch to the Great falls of the respective branches, be, and the same is hereby declared a public highway for the passage of rafts, boats and other vessels; and it shall be lawful for the inhabitants and others desirous of using the navigation of the said river, to remove all natural and artificial obstructions which may be in the same, excepting dams for mills, and other water-works, and also to erect such slopes at the mill dams now built in the said river, as may be necessary for the passage of rafts, boats or other vessels: Provided, Such slopes be so constructed as not to injure the works of said dams: And provided also, That any person or persons owning or possessing lands on said river, shall have liberty to construct any dam or dams across the same, agreeably and subject to all the restrictions and provisions of an act of the General Assembly of this Commonwealth, passed the twenty-third day of March one thousand eight hundred and three, entitled, "An act to authorize any person or persons owning lands adjoining navigable streams of water, declared public high-*

A certain part of Lackawaxen river, in the county of Wayne, declared a public highway.

Provision in favour of persons owning or possessing lands on said river.

ways, to erect dams upon such streams for mills and other water-works."

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the first day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

### CHAPTER XIII.

*An ACT granting Samuel Koockooyaei a Tract of Donation Land.*

WHEREAS it appears that Samuel Koockooyaei served as a Musician in the Pennsylvania Regiment of Artillery, commanded by Colonel Thomas Forrest, until honorably discharged in consequence of inability to continue longer in the service, occasioned by an epileptic disease, and was discharged very near the close of the war, with a constitution debilitated by the services rendered his country: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the officers of the Land-office, be, and they are hereby authorized and required to grant to Samuel Koockooyaei, a patent for a tract of donation land, according to his rank aforesaid.

Grant of donation land to S. Koockooyaei.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the first day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

### CHAPTER XIV.

*An ACT to confirm to certain Persons holding an Island in the River Delaware, their Title to the same.*

WHEREAS doubts have arisen whether the present possessors of an Island in the river Delaware, (known by the name of Biles Island, situate in Falls township, Bucks county, about one mile below the lower Falls of said river,) have a legal title to the same. And whereas it appears that said Island was purchased

from the Indians in the year one thousand six hundred and eighty by William Biles, the ancestor of the present possessors; that said purchase was further confirmed by a deed bearing date the nineteenth day of March, one thousand seven hundred and twenty-seven, under which a peaceable possession of the same has been held ever since that time: Therefore to remove all doubts as respects any claim which the Commonwealth may be supposed to have to the said Island:

The title in the Island, confirmed to the present possessors.

SECTION I. *Be it, enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the present possessors of all and every part of the Island known by the name of Biles Island, situate in Falls township, Bucks county, about one mile below the lower Falls of the River Delaware be, and they are hereby established and confirmed in the possession and right to the same, which they respectively hold at the time of passing of this act: *Provided,* That nothing herein contained shall be construed so as to interfere with the rights of any individual, or impair any contract respecting all or any part of the said Island.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the first day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER XV.

*An Act to alter an Act entitled "An Act to erect the Town of Harrisburg in the County of Dauphin into a Borough."*

WHEREAS by the sixth section of an act of the General Assembly of this commonwealth, passed on the thirteenth day of April, Anno Domini one thousand seven hundred ninety-one, entitled "An act to erect the town of Harrisburg, in the county of Dauphin into a borough." It is enacted "that the burgesses and freeholders inhabitants of Harrisburg respectively for ever shall enjoy all the powers, jurisdictions, exclusions, authorities and privileges, and be subject to the same qualifications, restrictions, penalties, fines and forfeitures within the said borough, as are enjoyed by, and limited to the burgesses and inhabitants of the borough of Reading in the county of Berks." And whereas it appears by petition of the inhabitants of the said borough of

Harrisburg, that experience has fully proved that owing to a difference in the local situation of the two places, and various other causes, the act of assembly for erecting the town of Reading into a Borough, however applicable to the purpose for which it was originally intended by the legislature, is not well calculated for the good government of the borough of Harrisburg : Therefore,

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

That the said town of Harrisburg, shall still continue and forever remain a borough under the name and title of "The Borough of Harrisburg," the extent and bounds of which shall be the same as in the original law, *to wit:* beginning at low-water-mark on the Eastern shore of the Susquehanna river; thence by the pine-apple-tree, north sixty degrees and one quarter east, seventy-nine perches to an ash-tree on the west bank of Paxton creek; thence by the several courses thereof three hundred and twenty-three perches to a white-hickory, in William Maclay's line; thence by the same south sixty-seven degrees and three quarters west, two hundred and twelve perches to a marked chesnut-oak on the eastern bank of the Susquehanna; thence by the same course to low-water-mark; and from thence by the low-water-mark to the place of beginning.

The incorporation of Harrisburg, perpetuated according to its former limits.

**SECT. II.** *And be it further enacted by the authority aforesaid,*

That the freeholders, housekeepers and other inhabitants of the said borough, entitled to vote for members of the general assembly, having resided within the said borough at least one year immediately preceding the election and within that time paid a borough tax, shall have power on the third Friday in March next, and on the same day in every year hereafter to meet at the court-house in said borough, and then and there between the hours of one and five in the afternoon, elect by ballot one respectable citizen, residing therein, who shall be styled the "Chief Burgess," one other reputable citizen, who shall be styled "The Assistant Burgess," and nine reputable citizens to be a town council, and shall also elect as aforesaid one reputable citizen as high-constable; all of whom shall be residents and freeholders of the said borough. And also shall at the same time and place elect four suitable persons for constables, and return the said persons so elected for constables to the next court of quarter sessions of the county of Dauphin; and the said court shall appoint two of them to be constables of the said borough for one year from and after the time of their appointment; but previous to the opening of said election, such of the inhabitants as are present at the court house, shall elect three reputable citizens as judges, one as inspector and two

Who may vote for Borough officers.

Period of election.

Officers to be chosen. Burgesses. Town council.

Constables.

Two of whom shall be appointed by the court of Quarter Sessions. How the election is to



be conducted.

as clerks of the said election, which shall be regulated and conducted throughout according to the general election law of this commonwealth, and who shall be subject to the same penalties for mal practices, as by the said law is imposed; and the said judges, inspectors and clerks, before they enter upon the duties of their respective offices, shall take an oath or affirmation before any justice of the peace of said county, to perform the same with fidelity; and after said election shall be closed, shall declare the persons having the greatest number of votes to be duly elected: and in case that any two or more candidates should have an equal number of votes, the preference shall be determined by lot, to be drawn by the three judges in the presence of the inspector and clerks; whereupon duplicate certificates of said election shall be signed by the said judges, one of which shall be delivered to the clerk of the court of quarter sessions of the said county, to be deposited in his office, and the other shall be filed with the papers belonging to the corporation. And it shall be the duty of the high-constable for the preceding year to give notice in writing to each of the persons so elected as aforesaid; and in case of the death, resignation, removal or refusal to accept of any of the said offices, the chief burgess, or in his absence or inability to act, the assistant burgess shall issue his precept directed to the high-constable, to hold an election in manner aforesaid, to supply such vacancy, giving at least eight days notice of such election by six advertisements set up in the most public places in the said borough.

How the preference is to be determined where two or more candidates have an equal number of votes.

Persons elected to be notified.

How vacancies by death, resignation, &c. are to be supplied.

Borough officers incorporated.

Style of the corporation. Its general powers, &c.

SECT. III. *And be it further enacted by the authority aforesaid,* That from and after the third Friday in March next, the chief burgess, assistant burgess, and town council, duly elected as aforesaid, and their successors, shall be one body politic and corporate by the name and style of "The Chief Burgess, Assistant Burgess, and Town Council of the Borough of Harrisburg," and shall have perpetual succession; and the said chief burgess, assistant burgess, and town council and their successors, shall be capable in law to have, get, receive, hold and possess goods and chattels, lands and tenements, rents, liberties, jurisdictions, franchises and hereditaments, to them and their successors, in fee simple or otherwise, not exceeding the yearly value of five thousand dollars; and also to grant, sell, let and assign the same lands, tenements, hereditaments and rents, and by the name and style aforesaid, they shall be capable in law to sue and be sued, plead and be impleaded in any of the courts of law in this commonwealth in all manner of actions whatsoever, and to have and use one common seal, and the same from time to time at their will to change and alter, until it be otherwise directed by law; and the said inhabitants shall hereafter for ever hold two markets in each week, one on Wednesday,

Two weekly markets and two fairs in

and one on Saturday ; and two fairs in each year, one on the second Thursday and succeeding Friday in June, and the other on the second Thursday and succeeding Friday in October for ever.

each year may be held in said Borough.

SECT. IV. *And be it further enacted by the authority aforesaid,* That if any person duly elected as chief burgess, assistant burgess, member of the town council, or high constable as aforesaid, and having received notice thereof as directed by this act, shall refuse or neglect to take upon himself the execution of the office to which he shall have been elected, or having taken upon himself the duties of said office, shall neglect to discharge the same according to law, every person so refusing or neglecting, shall for every such offence, forfeit and pay the sum of twenty dollars ; which fine, and all other fines and forfeitures incurred and made payable in pursuance of this act, or of any of the bye-laws and ordinances of the town council, shall be for the use of the said corporation, and shall be recovered before the chief burgess, or in his absence or inability to act, before the assistant burgess, in the same manner that debts not exceeding one hundred dollars, are recoverable before a justice of the peace ; and when so recovered, shall be forthwith paid to the treasurer of the Borough ; and it shall be the duty of the officers of said Borough, on receiving any money, belonging to the corporation, to pay the same to the treasurer forthwith.

Penalty on Borough officers refusing or neglecting to serve.

How to be recovered, and to what use.

SECT. V. *And be it further enacted by the authority aforesaid,* That the chief burgess, assistant burgess, town council and high-constable, and each of them, before entering upon the duties of their respective offices, shall take and subscribe an oath or affirmation, before any justice of the peace of the said county, to support the constitution of the United States, and of this State, and to execute the duties of their respective offices with fidelity ; and the certificates of such oaths and affirmations, shall be filed among the records of the said corporation.

Qualification of the Borough officers.

SECT. VI. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said town council, five of whom shall be a quorum, to hold quarterly meetings on the first Saturday in April, July, October and January, in each year, and oftener, if occasion requires ; at which meetings they shall revise, repeal or amend, all such bye-laws, and ordinances as have been heretofore made in the said Borough ; and enact such other bye-laws, and make such rules, regulations and ordinances, as shall be determined by a majority of them, necessary to promote the peace, good order, benefit and advantage of said Borough, particularly of providing for the regulation of the markets, improving, repairing and keeping in order the streets, lanes, alleys and highways, ascertaining the depth of vaults, sinks, pits for necessary-houses, and making permanent rules relative to the foundations of buildings,

A quorum of the Town council to hold quarterly meetings.

Business to be transacted at such meetings.

To make by-laws, &c.

To assess,  
apportion  
and appropriate taxes.

To appoint a  
Town-clerk,  
Treasurer,  
Street-Commissioners,  
Clerk of the  
market,  
Collectors,  
&c.

Proviso as  
to the by-  
laws.

As to a-  
mount of  
taxes.

Mode of col-  
lecting the  
taxes.

Duties and  
powers of  
the Burgess-  
es.

party-walls and fences, and for the safe-keeping, and preservation from injury, of the lot of ground in the said Borough, belonging to this commonwealth, until it be otherwise disposed of by law: They shall have power to assess, apportion and appropriate such taxes, as shall be determined by a majority of them, necessary for carrying the said rules and ordinances, from time to time, into complete effect; and also to appoint a town clerk, treasurer, two persons to act as street and road supervisors, a clerk of the market and a collector, annually, and such other officers as may be deemed necessary, from time to time, and the same officers, from time to time, to remove for misdemeanor in office, which meetings of the said town-council shall be held at the court-house, in the said borough until a town-house is erected: *Provided* that no bye-law, rule or ordinance of the said corporation shall be repugnant to the constitution or laws of the United States or of this commonwealth; and that no person shall be punished for a breach of a bye-law or ordinance made as aforesaid, until ten days have expired after the promulgation thereof, in at least one English and one German newspaper printed in the said borough: *And Provided also*, That in assessing such tax, due regard shall be had to the valuation of taxable property taken for the purpose of raising county rates and levies, so that the said tax shall not in any one year exceed half a cent in the dollar of such valuation, unless some object of general utility shall be thought necessary, in which case a majority of the taxable inhabitants of said borough, shall approve of and certify the same, in writing under their hands, to the town council, who shall proceed to assess the same accordingly.

SECT. VII. *And be it further enacted by the authority aforesaid*, That the chief burgess, elected and qualified agreeably to this act, or in his absence or inability to act, the assistant burgess is hereby authorized to issue his precept, as often as occasion may require, directed to the collector, commanding him to collect all taxes so assessed, and the same to pay over to the treasurer. And the said chief burgess, or in his absence or inability to act, the assistant burgess is hereby authorized to carry into effect all bye-laws and ordinances enacted by the town council, and whatsoever else shall be enjoined upon him or them, for the well ordering and governing said borough; and shall have jurisdiction in all cases of dispute, that may arise between the corporation and individuals, under this act or any bye-laws enacted by the town council, and shall also have power to mitigate or remit fines and forfeitures, in all cases where it shall appear that the person or persons so fined did not offend intentionally, or on their having some other just and reasonable excuse to plead in his or their behalf, which excuse shall

be satisfactorily proven to the said chief burgess, or assistant burgess, as the case may be.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the town clerk to attend all meetings of the town council, when assembled upon business of the corporation, and perform the duty of clerk thereto, and keep and preserve the common seal and records of the corporation and be answerable for the same, and also for the faithful discharge of all the duties which may be enjoined upon him by virtue of this act, or of the acts of the corporation, whose attestation, with the seal of the corporation, shall be good evidence of the act or thing so certified.

Duties and responsibility of the Town-clerk.

SECT. IX. *And be it further enacted by the authority aforesaid,* That the treasurer shall give sufficient security for the faithful discharge of the duties of his office, and for the safe delivery of all monies, books and accounts appertaining thereto, into the hands of his successor, upon demand made for that purpose.

Treasurer to give security, &c.

SECT. X. *And be it further enacted by the authority aforesaid,* That the street supervisors, treasurer, high-constable, clerk of the market and collector, as well as all other officers, which may be appointed by the corporation or council, shall, at the quarterly meeting of the council in the month of April, yearly, render their accounts to the said council for settlement; and the said accounts, being so adjusted and settled accordingly, shall be forthwith published by said council, shewing particularly the amount of taxes laid and collected, and of all monies paid into the treasury, and the amount of expenditures.

All officers appointed by the corporation, to render their accounts annually for settlement.

SECT. XI. *And be it further enacted by the authority aforesaid,* That the chief burgess, assistant burgess and president of the council, or any two of them, shall constitute a court of appeal, and prior to the collection of any Borough-tax, the collector shall inform each inhabitant of the amount of his tax, and of the time and place of appeal: *Provided nevertheless,* That the said court of appeal shall have no other power, as such, than to determine the justness of the apportionment of said tax, and to remedy any grievance that may occur in imposing the same.

The burgesses, &c. to constitute a court of appeal, to remedy grievances in taxation.

SECT. XII. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the high-constable to give notice of the annual elections of the said Borough, held in pursuance of this act, by setting up advertisements in the market-houses, and in four other public places in the said Borough, ten days previous thereto; he shall attend and see that the same is opened, at the time and in the manner directed by this act: *Provided,* That it shall be the duty of the present high-constable to publish and superintend, in

Duties of the high constable.

like manner, the election to be held on the third Friday in March next, as is herein before directed.

SECT. XIII. *And be it further enacted by the authority aforesaid,*

Allowance to election officers.

Salaries of the high constable, town clerk, &c.

Penalty on officers, appointed by the town council, refusing to serve.

Persons feeling themselves aggrieved, may appeal to the court of common pleas.

Repealing clause.

That the judges, inspector and clerks of the elections aforesaid, shall be allowed each, one dollar a day for their services in holding said elections; and the town council shall, from time to time, affix the salaries of the high-constable, town clerk, treasurer, clerk of the market, and such other officers as may be appointed under this act, which salaries shall be paid out of the borough treasury, by orders drawn thereon, signed by the president of the council, which salaries shall not be increased or diminished during the time for which the said officers were appointed respectively: *Provided also,* That if any person, appointed by the town council, as aforesaid, shall neglect or refuse to take upon himself the duties of the office to which he shall be so appointed, shall forfeit and pay for the use of the corporation, the sum of twenty dollars, unless he can render to the said council, a satisfactory reason why he should be exonerated from such service.

SECT. XIV. *And be it further enacted by the authority aforesaid,* That if any person or persons shall think him, her or themselves aggrieved, by any thing done in pursuance of this act, except in what relates to the imposing and collecting the borough-tax and appointments made by the town council, he, she or they may appeal to the next court of common pleas, to be held for the said county upon giving security, according to law, to prosecute his, her or their appeal with effect, and the said court, having taken such order therein as shall seem to them just and reasonable, the same shall be conclusive against all parties.

SECT. XV. *And be it further enacted by the authority aforesaid,* That from and after the third Friday in March next, the act entitled "An Act to erect the Town of Harrisburgh, in the county of Dauphin, into a Borough;" passed on the thirteenth day of April, one thousand seven hundred and ninety-one, be, and the same is hereby repealed.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the first day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER XVI.

*An ACT to incorporate the Evangelical Lutheran Congregation of St. John's Church, in the City and Vicinity of Philadelphia.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Martin Hartley, Adam Eckfelt, John Leshner, John Graff, Christlieb Bartling, Daniel Breutigam, Isaac Wampole, John Singer, John Goodman, jun. Conrad Haas, John Rugan, George Rees, Charles Schaffer, Jacob Benninghove, Samuel Lehman, Baltes Emrich, George Bantleon, Michael Fox, John Hay, Daniel Bickley and John Greiner, and their successors, shall be duly elected in manner and form as is hereinafter directed, be, and they are hereby made and constituted a corporation and body politic in law, and in fact, and to have perpetual continuance by the name and style of, "The Trustees of the Evangelical Lutheran Congregation of St. John's Church, in the City and Vicinity of Philadelphia."

The Evangelical Lutheran congregation of St. John's church, in the city and vicinity of Philadelphia incorporated.

Style of the corporation.

SECT. II. *And be it further enacted by the authority aforesaid* That the said corporation and their successors by the name and style aforesaid, shall for ever hereafter be able and capable in law to have, purchase, take, receive, and hold lands, tenements, rents, annuities, franchises and other hereditaments, which at any time or times heretofore have been granted, bargained, sold, released, devised or otherwise conveyed to the said congregation, or to any other person or persons for their use or in trust for them; and the same lands, tenements, rents, annuities, liberties, franchises and other hereditaments, are hereby vested and established in the said corporation, and their successors for ever agreeably to their original use and intention. And the said corporation and their successors are hereby declared to be seised and possessed of such estate and estates therein, as in and by the respective grants, bargains, sales, releases, devises or other conveyances thereof, is or are declared, limited or expressed, as also that the said corporation and their successors as aforesaid, at all times hereafter shall be capable and able to purchase, have, receive, take, hold, and enjoy in fee simple, or for any other less estate or estates, any lands, tenements, rents, annuities, liberties, franchises, and other hereditaments, by the gift, grant, bargain, sale, alienation, release, confirmation or devise of any person or persons, bodies, politic or corporate, capable and able to make the same, and further that the said corporation may take and receive any sum or sums of money, and any manner or portion of goods and chattels that shall be given or bequeathed to them by any person or persons, bodies, politic or corporate, capable to make a gift or bequest thereof, such money, goods and chattels to be

General powers of the corporation.

laid out by them in a purchase or purchases of lands, tenements, messuages, houses, rents, annuities or other hereditaments, to them or their successors for ever, or the monies lent on interest or otherwise disposed of according to the intention of the donors.

Enabled to  
sue and be  
sued.

SECT. III. *And be it further enacted by the authority aforesaid,* That the said corporation and their successors, by the name and style of, "The Trustees of the Evangelical Lutheran Congregation of St. John's Church, in the city and vicinity of Philadelphia," shall be able and capable in law to sue and be sued, plead and be impleaded, in any court or courts, before any judge or judges, justice or justices, in all and all manner of suits, complaints, pleas, causes, matters and demands of whatsoever kind, nature or form they may be, and all and every matter and thing therein to do in as full and effectual a manner, as any other person or persons, bodies, politic or corporate, within this commonwealth may or can do.

To have one  
common  
seal, &c.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the said corporation and their successors shall have power and authority to make, have and use one common seal, with such device and inscription as they shall think proper, and the same to break, alter and renew at their pleasure.

Number of  
members,  
and the time  
and manner  
of choosing  
them.

SECT. V. *And be it further enacted by the authority aforesaid,* That the said corporation by the name and style aforesaid, shall always consist of twenty-one members, and shall at all times hereafter be chosen by ballot on the second Tuesday in May, in each and every year, at such place as the said corporation by their by-laws hereafter may direct and appoint in manner following, *that is to say,* the last named seven persons of the present trustees, named in the first section of this act, shall be and continued trustees until the second Tuesday in May next, and the seven next named persons of the present trustees, shall be and continue trustees until the second Tuesday in May next thereafter, and that the remaining and first named persons of the present trustees, be, and continue trustees until the second Tuesday in May, which will be in the year of our Lord one thousand eight hundred and ten, and that on the second Tuesday in May, in the year of our Lord one thousand eight hundred and eight, and so on every second Tuesday in May annually for ever seven persons shall be chosen as aforesaid, to serve as trustees for the term of three years; and no person shall be excluded from serving as a trustee, on account of his having before served said office, and in all cases where the number of votes shall be equal for two or more candidates, the preference shall be decided by lot by the trustees when met for the purposes mentioned in the eighth section of this act.

Their term  
of service.

No person  
to be exclud-  
ed from serv-  
ing as a  
Trustee, on  
account of  
having pre-  
viously serv-  
ed in that  
capacity.

SECT. VI. *And be it further enacted by the authority aforesaid,*

That all elections to be held in pursuance of this act, shall be conducted by three members of the Congrégation, who shall be appointed inspectors at the same place where the trustees are to be elected as aforesaid, by the electors then assembled, in such manner as may be agreed on by the said electors within one hour preceding the election of said trustees, and the inspectors so chosen shall appoint one or more suitable person or persons, as their clerk or clerks to perform such duties as may be pointed out, and the nature of the case requires.

Inspectors of elections how to be appointed.

Clerks appointed; their duties

SECT. VII. *And be it further enacted by the authority aforesaid,* That when each election so had and held in pursuance of this act, shall be closed and the number of votes for each person shall be ascertained, the inspectors of the election as aforesaid, or a majority of them shall thereupon make out under their respective hands a return thereof, containing the names of the trustees elect, with the number of votes in favor of each, and shall within two days after the closing of each election, give notice in writing to each of the trustees elect, of their respective elections, and shall deliver or cause to be delivered the said return, together with the list of names, tally papers, tickets and other documents, sealed up to the trustees in office at the times and places, in and by this act appointed for them to meet and receive the same.

Inspectors of elections; their duties.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the trustees in office shall for ever hereafter meet together at the same place where the election for trustees was held, between the hours of nine and eleven o'clock in the forenoon of the third day next following each and every election held in pursuance of this act, and shall then and there receive the returns of the trustees elect, and if objection shall be made by any five members of the congregation, not members of the corporation, to the legality of such election, they shall forthwith proceed and examine the same, and to judge and determine thereon, and for that purpose a majority of the trustees then in office, shall be judges of the said contested election, and shall have full power and authority to approve thereof or to set aside the same, and to order new elections as the law may require in manner before directed, and at such times as shall be by them appointed, and notice shall be given of all elections to be held in pursuance of this act, from the desk or pulpit for two successive Sundays, at least preceding each and every election, in the fore and afternoons of said days, and each and every election so held, shall be opened precisely at ten o'clock in the forenoon, and shall continue open until nine o'clock in the evening, unless any elector should present his vote before the inspectors have commenced counting off the ballots, in which case the vote or votes so offered, shall be received and the poll be closed;

Time and place of the meeting of the Trustees, to receive returns of the elections. Proceedings to be had in case of disputed elections.

Notice of elections, in what manner to be given. Elections how to be conducted.



Publication  
of the elec-  
tion of Trus-  
tees, manner  
of induction  
into office.

and the name of each and every trustee duly elected and returned (except where the same is contested,) shall be published in the congregation on the Sunday following his election, from the desk or pulpit, after which such trustee or trustees shall be inducted into office in the usual manner, in the presence of the congregation.

Electors  
their quali-  
fications-

SECT. IX. *And be it further enacted by the authority aforesaid,* That in all elections to be held in pursuance of this act, every person of the age of twenty-one years who is a citizen of and residing in this commonwealth, and who shall appear by the books of the congregation to have paid three successive years, immediately preceding the time of any election for a pew or sitting in the church of said congregation to be built, shall enjoy the rights of an elector, and not otherwise, the sons of qualified members as aforesaid, (residing within the State,) between the ages of twenty-one and twenty-four years, always excepted, who shall be entitled to vote, although they have not paid any pew money or for sittings in said church within the time aforesaid: *Provided*, That he or they shall hold a pew or sitting in said church at the holding of any election: *And provided also*, That the pastor or pastors for the time being, shall be entitled to vote equally with any members of the said church or congregation. But no person shall be eligible to the office of trustee, who is not in full communion with the Evangelical Lutheran Church, agreeably to the tenets, rites and ceremonies thereof, and who is not otherwise qualified as aforesaid, at the time of his election, nor shall any person be elected a trustee unless he hath arrived at the age of thirty years at least; and the pastor or pastors of the said church or congregation, for the time being, shall not be eligible to the office of trustee: *Provided always*, That until a church or house of worship shall have been built, for the use of the said congregation, and until the provisions herein contained, relative to the rights and privileges of the members of said congregation, according to the terms and conditions thereof, can or may go into full and complete operation, the trustees are hereby authorized and directed to provide for the elective rights and privileges of the members of said congregation on just and equitable principles.

The pastor  
or pastors to  
have the  
right of vot-  
ing.

No person to  
be eligible to  
the office of  
trustee, who  
is not in full  
communion,  
&c.

Pastor not  
eligible to  
the office of  
Trustee:

Trustees to  
provide for  
the elective  
rights, &c. of  
the mem-  
bers.

Secretary of  
the corpora-  
tion, his du-  
ties.

SECT. X. *And be further enacted by the authority aforesaid,* That the secretary of the corporation shall make out and furnish the inspectors of every election with a fair, true and correct list of all the members of the said congregation, in alphabetical order from the books of the congregation, stating the time each person's name was entered as a pew-holder, the pew-rent due from each and every member in arrears at the time of such election, which list shall be certified under the hand of said secretary to be a true and correct list taken from the books of the congregation.

**SECT. XI.** *And be it further enacted by the authority aforesaid,* President, That the said trustees at their first meeting, after each annual election, shall elect by ballot from among their own members, a secretary and treasurer, when, and how chosen. Corporation to appoint all necessary officers.

**SECT. XII.** *And be it further enacted by the authority aforesaid,* Members to be notified in writing of the meetings. Quorum of trustees to consist of two thirds of their whole number; power of. Bye-laws, &c. not to be repugnant to the laws of the U. S. and of Pennsylvania. shall be registered, and published. Books, journals, &c. to be open to the inspection of the members. That the said corporation when met and convened upon due notice given to each and every member in writing from time to time be authorised to make bye-laws, rules and ordinances, and to do and perform such other things as may be necessary for the support and good government of the congregation. And in all cases two thirds of the trustees composing said corporation, shall constitute a quorum, a majority of whom shall be sufficient to transact any business, except it is to receive rents or other monies, and to fix the time of adjournment, in such case a less number shall be sufficient: *Provided always,* That such bye-laws, rules and ordinances be not repugnant to the laws of the United States and of this state, and that the same be fairly entered and registered in a book or books to be provided for that purpose, signed by the president, and attested by the secretary, and published to the congregation as soon as may be, after the passing thereof. And the book or books in which such bye-laws, rules and regulations are registered or entered together with the journals of the proceedings as well as the documents and other papers relating to the business of the corporation, shall be open to the inspection of any member or members of the congregation at all reasonable hours on due application first made to the president or secretary for that purpose at least three days before any such inspection may be made.

**SECT. XIII.** *And be it further enacted by the authority aforesaid,* Disposal of real or personal estate belonging to the corporation, how to be effected. That in the disposal of any part of the real or personal estate of the said congregation, the consent of two thirds of the whole number of the trustees, specially convened for that purpose, on due notice given in writing, shall in the first instance be necessary, and the names of the trustees on such occasion, voting for or against the contemplated measure, shall be recorded in the journals of the corporation, after which, the concurrence of the major part of the regular members of the congregation qualified as in and by this act is directed, shall be had and obtained on previous notice given, and the votes so to be taken shall be by ballot, and the real estate of the congregation shall not be charged or incumbered

to any person or persons whomsoever, except as is herein provided in manner aforesaid.

Vacancies,  
how to be  
supplied.

SECT. XIV. *And be it further enacted by the authority aforesaid:* That in case any vacancy or vacancies happen by death, resignation, removal or otherwise, a majority of the trustees assembled shall appoint special elections for supplying such vacancies, and every special election shall be held and conducted, and the proper return thereof made in manner and form as is herein before directed for the annual elections, and the person or persons so legally chosen, shall be trustee or trustees for the remainder of the time that the person or persons in whose place or places he or they were elected as aforesaid, would or might have remained and continued, and no longer.

Congrega-  
tion to elect  
their pastors,  
&c.

How he may  
be dismissed

Who shall  
not be eligi-  
ble.

SECT. XV. *And be it further enacted by the authority aforesaid,* That the said congregation shall have full power and authority from time to time to elect their pastor or pastors, which elections shall always be held by ballot by the qualified members of said congregation, and a majority of votes in all such cases shall be conclusive, and no pastor of the said congregation elected in manner as above mentioned, shall be dismissed, except by a vote finally taken of the qualified members of the said congregation, in manner before directed; but no minister of the Gospel shall ever be elected as pastor of said congregation unless he is in full communion with the Evangelical Lutheran Church agreeably to the tenets, rites and ceremonies thereof.

Present pas-  
tor confirm-  
ed in his of-  
fice.

SECT. XVI. And whereas the members now composing the said congregation, have previous to the passing of this act appointed the Reverend Philip F. Mayer their Pastor; and being desirous that said appointment may be confirmed and ratified without the intervention of an election, agreeably to the provisions contained in the preceding section of this act: Therefore, *Be it enacted by the authority aforesaid,* That the appointment of the reverend Philip F. Mayer as officiating pastor of said congregation be, and the same is hereby ratified and confirmed. And the said Philip F. Mayer is hereby declared to be the pastor of the said congregation in all respects as fully and completely as if he had been elected by virtue of the provisions contained in this act, any thing therein contained to the contrary in any wise notwithstanding.

Funds of the  
corporation,  
limited

SECT. XVII. *And be it further enacted by the authority aforesaid,* That the clear yearly value or income of the messuages, houses, lands, tenements, rents annuities or other hereditaments and real estate of the said congregation, shall not exceed the sum of three thousand dollars lawful money of the United States to be taken and ex-

seemed exclusive of the monies arising from the letting of the pews, and the voluntary contributions of the members of said church, and also exclusive of the monies arising from the opening the ground for burials, which said monies shall be received by the said trustees and their successors, and be applied for the maintenance and support of the pastor or pastors of said church, for the payment of salaries of such officers of the congregation as may be deemed necessary from time to time to appoint or elect for the maintenance and support of a seminary of learning, for building a house of worship and keeping the same in repair, and to the application of such other things as may be requisite and necessary according to the true intent and meaning of this act.

their application..

SECT. XVIII. *And be it further enacted by the authority aforesaid,* That no misnomer of the said corporation shall defeat or annul any gift, grant, devise or bequest to, or from the said corporation: *Provided,* the intent of the parties shall sufficiently appear on the face of the gift, grant, will or other writing, whereby any estate or interest was intended to pass to, or from the said corporation, nor shall any disuser or nonuser of the rights, liberties, privileges or jurisdictions and authorities hereby granted to the said corporation, or any of them create or cause forfeiture thereof.

No misnomer to defeat or annul any gift, grant, &c.  
Nor disuser to work a forfeiture of any rights, liberties, &c.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the first day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER XVII.

*An ACT granting a Tract of Donation Land to James Norris.*

WHEREAS it appears, that James Norris (now an inhabitant of the county of Philadelphia) entered very early in the late revolutionary army; that in consequence of merit he was advanced to a lieutenantcy, under captain Van Heer, and continued to render essential services to his country, until the month of November, one thousand seven hundred and eighty, when (owing to extreme hardship) a severe fit of illness reduced him to the necessity of resigning his commission, his life being in imminent danger; that he never recovered his health, and is now advanced in years, and unable, from his infirmities, (the result of severe service) to maintain himself and a numerous family; that it appears

equitable and just, under a situation so peculiarly distressing, that he should be placed on a footing with those who served to the end of the war: Therefore,

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*—That the officers of the land office be, and they are hereby directed and required to grant a patent to James Norris, his heirs and assigns, for such a share of donation land as a lieutenant is entitled to, who served in the line of this State, in the army of the United States, to the end of the late revolutionary war.

Donation  
land granted  
to James  
Norris.

**SIMON SNYDER,** *Speaker  
of the House of Representatives.*

**P. C. LANE,** *Speaker of the Senate.*

**APPROVED**—the first day of February, in the year one thousand eight hundred and eight.

**THOMAS M'KEAN.**

## CHAPTER XVIII.

*An ACT declaring part of Wallenpaupack Creek, in Wayne County, a Public Highway.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Wallenpaupack creek, in the county of Wayne, from the falls thereof at Wilsonville, to the forks of said creek, and thence up the West branch to where the North and South road crosses, and up the South branch to the upper end of Newfoundland settlement, be, and the same is hereby declared a public highway for the passage of rafts, boats and other vessels; and it shall be lawful for the inhabitants, and others, desirous of using the navigation of the said creek, to remove all natural and artificial obstructions, which may be in the same, excepting dams for mills and other water-works; and also to erect such slopes, at the mill-dams now built in the said creek, as may be necessary for the passage of rafts, boats or other vessels: *Provided,* Such slopes be so constructed as not to injure the works of said dams: *And provided also,* That any person or persons, owning or possessing lands on said creek, shall have liberty to construct any dam or dams across the same, agreeably and subject to all the restrictions and provisions of an act of the General Assembly of this Commonwealth, passed the

Part of Wal-  
lenpaupack  
creek, in  
Wayne coun-  
ty, declared a  
public high-  
way.

Provision in  
favour of per-  
sons holding  
lands on said

twenty-third day of March, one thousand eight hundred and three, entitled " An Act to authorize any person or persons, owning lands adjoining navigable streams of water, declared public highways, to erect dams upon such streams, for mills and other water-works."

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

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## CHAPTER XIX.

*An ACT to enable the Trustees of the German Lutheran Congregation, of the townships of Albany and Linn in Berks and Northampton Counties, to convey to the Trustees of the German Reformed Congregation, an equal Right to a Church and Tract of Land therein described.*

WHEREAS it is represented that the Reverend Henry Melchior Muhlenberg by deed poll, dated the tenth day of July, Anno Domini one thousand seven hundred and seventy, conveyed a church and tract of fifty acres of land to Philip Stambach, Jacob Gortner, Valentine Brobst, Matthias Brobst and George Kestler and their successors, trustees of the German Lutheran Congregation, in the townships of Albany and Linn in the counties of Berks and Northampton, in trust to, and for the only proper use, and behoof of an evangelical lutheran congregation, in the aforesaid townships and counties, that the said church is now very much out of repair, and must be rebuilt and that the members of the said lutheran congregation are desirous and willing to give to the members of the German reformed congregation in the said townships and counties, an equal right with themselves to the said church and tract of land, because the members of the said German reformed church are willing to assist in rebuilding the said church, and in supporting the same for the future. And whereas a great number of the members of both the said congregations have applied to the legislature to pass a law, authorizing and empowering the present trustees of the said lutheran congregation or their successors, to convey to the trustees of the said reformed congregation, an equal right to the said church and tract of land, as soon as the trustees last mentioned have paid to or satisfied the trustees of the said lutheran congre-

gation, one half of the expence of there building of the said church or so much thereof, as they may be satisfied with. And wherem it is reasonable to grant a request which contemplates an extension of the means of religious worship: Therefore,

The trustees of the German Lutheran Congregation of Albany and Linn townships, in Berks and Northampton counties, enabled to convey a right in a certain church, &c. to the trustees of the German reformed congregation in the townships and counties aforesaid.

*Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the trustees of the German Lutheran Congregation of the townships of Albany and Linn, in the counties of Berks and Northampton or their successors be, and they are hereby authorised and empowered to convey to the trustees of the German reformed congregation, in the townships and counties aforesaid, in trust for the use of the said German reformed congregation, an equal right in the church and tract of fifty acres of land, which the Reverend Henry Melchior Muhlenberg by deed poll, dated the tenth day of July, Anno Domini one thousand seven hundred and seventy, conveyed to the trustees of the said German lutheran congregation, as soon as the trustees of the said German reformed congregation, shall have paid to or satisfied them one half of the expence of the rebuilding of the said church or so much thereof, as the trustees of the said German lutheran congregation may be satisfied with.*

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of February, in the year one thousand eight hundred and eight,

THOMAS M'KEAN.

## CHAPTER XX.

*An ACT for the further Relief of Charles Thompson.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the Governor of this Commonwealth be, and he is hereby authorised and directed to draw his warrant on the State-treasurer in favor of Charles Thompson of the county of Montgomery, for the sum of three thousand one hundred and ninety-five dollars, being the residue in full for all costs and damages sustained by him, in consequence of his being evicted from a certain tract of land, containing fifty-eight acres and thirty-five perches, situate in the township of the Northern-Liberties and county of Philadelphia; held by him under a title derived from*

The further sum of 3195 dollars granted to C. Thompson.

the Commonwealth, by purchase from the agents for the sale of confiscated estates.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

CHAPTER XXI.

*An ACT for the Relief of Thomas Cox.*

**W**HEREAS it appears that Thomas Cox of the county of Bucks enlisted in the service of his country in the beginning of the year, one thousand seven hundred and seventy-seven, and that he received a wound in the thigh at the battle of Germantown, by which he has been rendered unable to support himself; it further appears that he continued in said service until the year one thousand seven hundred and eighty-one, when he was discharged: Therefore,

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of forty dollars, be, and the same is hereby granted to Thomas Cox, to be paid to him or his lawful attorney, immediately after the passing of this act on a warrant drawn by the Governor on the State-treasurer, and that an annuity of forty dollars be granted for the use of the said Thomas Cox, for and during his natural life, to be paid to Samuel Johnson Esquire, of the township of Buckingham, county of Bucks, his executors or administrators, or his or their lawful attorney, to commence from the first day of January, one thousand eight hundred and eight, half-yearly on warrants drawn by the Governor on the State-treasurer, which annuity shall be expended by the said Samuel Johnson, his executors or administrators, in providing cloathing, diet or other necessaries for the said Thomas Cox; and it shall be the duty of the said Samuel Johnson, his executors or administrators to make an annual return to the orphans court of

Forty dollars  
and an annu-  
ty of 40 dol-  
lars granted  
to Thomas  
Cox.



Bucks county, on oath or affirmation of the manner in which he or they have executed the trust in him or them, -confided by the act.

SIMON SNYDER, *Speaker*  
for the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER XXII.

*An ACT to raise by way of Lottery, a sum of Money for the purpose of purchasing a Burial Ground for the Society of Universalists in city of Philadelphia, and to pay a Debt by them contracted in the building a House for Public Worship, and the finishing the same.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* Israel Israel, Elisha Gordon, Thomas Amies, Jacob Thomas, John Murray, Thomas Kingston, Thomas Tomkins and Thomas F. Gordon, be, and they are hereby appointed commissioners to raise by way of lottery, a sum of money not exceeding ten thousand dollars, to be by them, or any five of them, applied to the purpose of purchasing a lot of ground for the deposit of their dead, the payment of their debts, already contracted in building a House of public worship, and to finish the same.

SECT. II. *And be it further enacted by the authority aforesaid, That* the said commissioners, before they proceed to the sale of any tickets in the said lottery, shall lay such scheme before the Governor, as shall meet his approbation; and enter into bonds to him, for the due performance of their duty, in selling the said tickets, drawing the lottery and paying the prizes; and each of them, before entering on the duties of his appointment, shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby intrusted to him; and two or more of said commissioners shall attend at the drawing of each day, and when the whole is completed, shall cause an accurate list of the fortunate numbers to be published in one or more of the daily newspapers, published in the city of Philadelphia; and shall pay and discharge the prizes that shall be demanded, by persons legally entitled thereunto, within thirty days, after the drawing shall be completed.

Commissioners of the lottery.

Sum to be raised.

How to be applied.

Commissioners, before selling any of the tickets, to lay the scheme before the Governor for his approbation.  
To give bond, &c.  
Further duties of the Commissioners.

**SECT. III.** *And be it further enacted by the authority aforesaid,*  
 That the said commissioners be, and they are hereby authorized Authorized to state accounts, &c.  
 state all the accounts which may be exhibited by any person or  
 persons legally employed in carrying this act into effect, and that  
 expences attending the same, except wages to the commission-  
 s, who shall not be entitled to any compensation for their ser-  
 ces as enjoined by this act, nor shall any other person be allowed  
 r performing said services, shall be paid by the said commissioners  
 of the proceeds of the said lottery.

**SECT. IV.** *And be it further enacted by the authority aforesaid,*  
 That all prizes not demanded within twelve months, next after Time within which prizes are to be demanded.  
 publication as aforesaid, shall be considered and deemed as relin-  
 quished for the benefit of the aforesaid congregation.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

**APPROVED**—the fourth day of February, in the year one thousand  
 eight hundred and eight.

THOMAS McKEAN.

### CHAPTER XXIII.

*An ACT establishing an Academy in the Borough of Uniontown, in  
 the county of Fayette.*

**SECTION I.** *BE it enacted by the Senate and House of Representa-  
 tives of the Commonwealth of Pennsylvania in Gen-  
 eral Assembly met, and it is hereby enacted by the authority of the same,*  
 That there shall be, and hereby is established in the Borough of "Union Ac-  
 cademy," in  
 Fayette  
 county, es-  
 tablished.  
 Uniontown in the county of Fayette, an Academy or public  
 school for the education of youth in the useful arts, sciences and  
 literature, by the name and style of, "The Union Academy."

**SECT. II.** *And be it further enacted by the authority aforesaid,*  
 That the first trustees of the Union Academy shall consist of the Trustees  
 nominated  
 and incorpo-  
 rated.  
 following persons: *to wit,* James Guthrie, Thomas Hadden,  
 Presley Car Lane, James W. Nicholson, Christian Tarr, Charles  
 Porter, Thomas Meason, John Kennedy, Zadoc Walker, James  
 Allen, Maurice Freeman, Jesse Pennel and James Findlay, which  
 said trustees and their successors to be elected as hereinafter di-  
 rected, shall be, and hereby are declared to be one body corpor-  
 ate and politic, by the name style and title of, "The Trustees of  
 Union Academy," and by the same name shall have perpetual Style of the  
 corporation.  
 Its general  
 powers.  
 succession, and shall be able to sue and be sued, plead and be  
 impleaded in all courts of record and elsewhere, and shall be

gation, one half of the expence of there building of the said church or so much thereof, as they may be satisfied with. And wherem it is reasonable to grant a request which contemplates an extension of the means of religious worship: Therefore,

*Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the German Lutheran Congregation of the townships of Albany and Linn, in the counties of Berks and Northampton or their successors be, and they are hereby authorised and impowered to convey to the trustees of the German reformed congregation, in the townships and counties aforesaid, in trust for the use of the said German reformed congregation, an equal right in the church and tract of fifty acres of land, which the Reverend Henry Melchior Muhlenberg by deed poll, dated the tenth day of July, Anno Domini one thousand seven hundred and seventy, conveyed to the trustees of the said German lutheran congregation, as soon as the trustees of the said German reformed congregation, shall have paid to or satisfied them one half of the expence of the rebuilding of the said church or so much thereof, as the trustees of the said German lutheran congregation may be satisfied with.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of February, in the year one thousand eight hundred and eight,

THOMAS M'KEAN.

## CHAPTER XX.

*An ACT for the further Relief of Charles Thompson.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the Governor of this Commonwealth be, and he is hereby authorised and directed to draw his warrant on the State-treasurer in favor of Charles Thompson of the county of Montgomery, for the sum of three thousand one hundred and ninety-five dollars, being the residue in full for all costs and damages sustained by him, in consequence of his being evicted from a certain tract of land, containing fifty-eight acres and thirty-five perches, situate in the township of the Northern-Liberties and county of Philadelphia; held by him under a title derived from

The trustees of the German Lutheran Congregation of Albany and Linn townships, in Berks and Northampton counties, enabled to convey a right in a certain church, &c. to the trustees of the German reformed congregation in the townships and counties aforesaid.

The further sum of 3195 dollars granted to C. Thompson.

That no sale or alienation of the real estate of the said corporation which may be made by the said trustees or their successors *bona fide* for a valuable consideration, in case the possession thereof pass immediately to the purchaser, or purchasers, and continue in him, her or them, his, her or their heirs or assigns, shall be invalidated for want of proving, that seven of said trustees of said corporation consented to such sale and alienation, unless the same be controverted within the space of seven years from and after the sale and delivery of such real estate to the purchaser or purchasers thereof.

No bona fide sale of real estate by the corporation to be controverted after a limited time.

SECT VII. *And be it further enacted by the authority aforesaid,* That the sum of two thousand dollars be, and the same is hereby granted out of any unappropriated money, which may be in the treasury of this commonwealth to be paid by a warrant, to be drawn by the governor on the state treasurer to the trustees of Union Academy, to be applied under their direction, to the benefit of the said institution, and there shall be admitted into said academy, any number of poor children who may at any time be offered in order to be taught gratis: *Provided,* The number so admitted and taught shall at no time be greater than four, and that none of the said poor children shall continue to be taught gratis in said academy longer than two years.

A grant of two thousand dollars made to the corporation.

Of the admission of poor children into the Academy, to be taught gratis.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

#### CHAPTER XXIV.

An ACT authorizing the Court of Quarter Sessions of Indiana County, to direct a Review of that part of the State Road, leading from Blairs Gap to the Western Boundary Line of the State, which lies between the town of Indiana and the Seventh Mile-tree, westward.

SECTION I. *BE* it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the court of quarter sessions of the county of Indiana, be, and they are hereby authorized to appoint six discreet and reputable freeholders, to view that part of the state road laid out from Blairs Gap to the Western boundary line of the state, which lies between the town of Indiana and the seventh mile-tree westward; and if upon the report of the said viewers or any five of them,

Persons to be appointed to review a certain part of a state road in Indiana county, &c.

Bucks county, on oath or affirmation of the manner in which he or they have executed the trust in him or them, -confided by the act.

SIMON SNYDER, *Speaker*  
for the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fourth day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER XXII.

*An ACT to raise by way of Lottery, a sum of Money for the purpose of purchasing a Burial Ground for the Society of Universalists in the city of Philadelphia, and to pay a Debt by them contracted in the building a House for Public Worship, and the finishing the same.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* Israel Israel, Elisha Gordon, Thomas Amies, Jacob Thomas, John Murray, Thomas Kingston, Thomas Tomkins and Thomas F. Gordon, be, and they are hereby appointed commissioners to raise by way of lottery, a sum of money not exceeding ten thousand dollars, to be by them, or any five of them, applied to the purpose of purchasing a lot of ground for the deposit of their dead, the payment of their debts, already contracted in building a House of public worship, and to finish the same.

SECT. II. *And be it further enacted by the authority aforesaid, That* the said commissioners, before they proceed to the sale of any tickets in the said lottery, shall lay such scheme before the Governor, as shall meet his approbation; and enter into bonds to him, for the due performance of their duty, in selling the said tickets, drawing the lottery and paying the prizes; and each of them, before entering on the duties of his appointment, shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby intrusted to him; and two or more of said commissioners shall attend at the drawing of each day, and when the whole is completed, shall cause an accurate list of the fortunate numbers to be published in one or more of the daily newspapers, published in the city of Philadelphia; and shall pay and discharge the prizes that shall be demanded, by persons legally entitled thereunto, within thirty days, after the drawing shall be completed.

Commissioners of the lottery.

Sum to be raised.

How to be applied.

Commissioners, before selling any of the tickets, to lay the scheme before the Governor for his approbation. To give bond, &c. Further duties of the Commissioners.

## CHAPTER XXVI.

*An ACT to allow further time for completing the Frankford and Bristol Turnpike Road, and erecting a Bridge over Neshaminy Creek.*

**W**HEREAS it has been represented, that the times allowed by law for completing the Frankford and Bristol turnpike road and for erecting a bridge over Neshaminy creek, are insufficient, and that adequate subscriptions to carry on the said road, or to erect the said bridge cannot for that reason be obtained: Therefore,

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the twenty-fourth section of the act, entitled "An act to enable the governor of this Commonwealth to incorporate a company for making an artificial road, from the intersection of Front-street and the Germantown road, in the Northern Liberties of the city of Philadelphia, through Frankford and Bristol, to the ferry at Morrisville, on the river Delaware," passed on the twenty-fourth day of March, in the year of our Lord, one thousand eight hundred and three, as declares that the rights, liberties, privileges and franchises, granted to the said company, shall revert to the Commonwealth, if the company shall not complete the said road within the time in the said section prescribed, and so much of the first section of the supplement to the said act, passed on the seventh day of March, in the year of our Lord, one thousand eight hundred and five, as direct that the president, managers and company of the Frankford and Bristol turnpike road, shall, within the space of four years, erect, or cause to be erected, a bridge over Neshaminy creek, be, and the same hereby are, as to the limitations of time for completing the said road and erecting the said bridge, wholly annulled and repealed.*

Certain parts  
of former  
laws repealed.

SECT. II. *And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said president, managers and company, of the Frankford and Bristol turnpike road, to erect, or cause to be erected, the said bridge over Neshaminy creek, at any time within five years; and to carry on and complete the said road, at any time within ten years from and after the passing of this act, subject however, (excepting only as to the said limitations) to all the conditions, restrictions and provisions in the said recited act and supplement contained.*

Further  
time allowed  
for erecting  
a bridge  
over Nesh-  
aminy creek,  
and for com-  
pleting the  
Frankford  
and Bristol  
Turnpike  
road.

SIMON SNYDER, *Speaker  
of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fifteenth day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER XXVII.

*An ACT to raise by way of Lottery a Sum not exceeding two thousand Dollars, for building a house for Religious Worship in Limerick Township, Montgomery County.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Owen Evans, James B. Harris, Matthew Brooke, James Evans junior, Isaac Marckley, John Barlow, Jacob Keeley and John Brooke, or any six of them be, and they are hereby appointed commissioners to raise, by lottery, a sum of money not exceeding two thousand dollars, to be by them applied in building a house for religious worship, in the township of Limerick, and county of Montgomery.

SECT. II. *And be it further enacted by the authority aforesaid,* That the commissioners before they proceed to sell any tickets in the lottery aforesaid, shall lay such scheme thereof before the Governor, as shall meet his approbation, and enter into bonds to him for the due performance of their duty in selling the tickets, drawing the lottery and paying the prizes, and each of them before entering into the duties of his appointment, shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby intrusted to him, and two or more of said commissioners shall attend at the drawing of each day, and when the whole is completed, shall cause an accurate list of the fortunate numbers to be published in the Norristown Register, and shall pay and discharge the prizes that shall be demanded by persons legally entitled thereto within forty days after the drawing of said lottery shall be completed.

SECT. III. *And be it further enacted by the authority aforesaid,* That the said commissioners be, and they are hereby authorized to settle and adjust all the accounts which may be exhibited by any person or persons legally employed in carrying this act into effect, and that all expences attending the same shall be paid by the said commissioners out of the proceeds of said lottery: *Provided,* that nothing herein contained, shall be taken to allow said lottery commissioners any compensation for the performance of the duties enjoined on them by this act; nor shall any other person for the performance of said services.

SECT. IV. *And be it further enacted by the authority aforesaid,* That all prizes not demanded within twelve months next after

Commissioners appointed.

Sum to be raised, and how to be applied.

Commissioners to lay the scheme before the Governor for his approbation; give bond for the due performance of their duty. Their qualification and further duties.

Empowered to settle accounts, &c.

Within what time prizes

Publication as aforesaid, shall be considered and deemed as relinquished, for the benefit of the aforesaid house of worship. must be demanded.

SIMON SNYDER, *Speaker  
of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fifteenth day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER XXVIII.

### *An ACT for the Relief of Dillaplain Ridgway.*

WHEREAS Dillaplain Ridgway of the city of Philadelphia, bricklayer, by his petition to the Legislature has represented that on the seventeenth day of October last, he entered into a recognizance and became bound in a bond in the sum of sixty thousand dollars, together with William T. Donaldson and sixteen others, as sureties for the said William T. Donaldson's faithful execution of the office of sheriff, for the city and county of Philadelphia, agreeably to the form prescribed by law; that the petitioner has for some years last past, been in the practice of purchasing lots and erecting thereon houses for sale, that he now has for sale several houses and lots, for which he is offered a fair price, and that his business renders it necessary to borrow money upon giving real security. That he was not aware of the legal consequences of his entering into the said recognizance, which prevents him from selling any of his real estate, or obtaining money upon loan to prosecute his trade, that if he is not released from the said bond and recognizance, his utter ruin must be the consequence, and he offers to substitute in his place sufficient security. And whereas the relief which the petitioner claims for the peculiar hardships of his case, may be afforded without injury to the interests of the Commonwealth, or of any individuals: Therefore,

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the said Dillaplain Ridgway, to cause or procure a person to enter into a recognizance and become bound in a bond which the recorder of deeds for the city and county of Philadelphia, is hereby required to take in the sum of sixty thousand dollars as surety for the faithful execution of the official duties of William T. Donaldson, sheriff of said county: *Provided, Such person be previously approved of by the Governor, and by the judges of the court of common pleas of* Provision in favor of Dillaplain Ridgway.



Philadelphia county, or any two of them in the manner directed by the act entitled, "An Act directing sheriffs and coroners to give sufficient sureties for the faithful execution of their official duties, and for other purposes," passed the twenty-eighth day of March, one thousand eight hundred and three. And upon the execution of the said bond and recognizance, the said Dillaplain Ridgway shall be released and discharged from his obligation aforesaid, and the lien created by the said recognizance so far as it affects, the lands, tenements and hereditaments of the said Dillaplain Ridgway, shall be divested and annulled: *Provided always nevertheless*, That nothing in this act contained shall be construed to impair or affect any right of action, which may have accrued to the Commonwealth or any individual at the passing of this act, or which may accrue prior to the entering into of such new recognizance and bond, upon the said recognizance and bond, of the said Dillaplain Ridgway, but the same shall remain in full force for the purpose aforesaid, in the same manner as if this act had been not passed.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fifteenth day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER XXIX.

*An ACT to raise by way of Lottery, a Sum of Money for the purpose of finishing the Meeting-House in Wilkesbarre, and for protecting the Bank of the River, opposite the Borough, from the encroachment of the River.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Ebenezer Bowman, Lord Butler, William Ross, Rosewell Welles, Matthias Hollenback, Matthew Covell, Ebenezer Locum, Thomas Wright, Arnold Colt, Cornelius Courtright, Nathan Palmer, Nathan Waller and John Robinson, be, and they are hereby appointed commissioners to raise by way of lottery, the sum of five thousand dollars, to be by them applied for finishing the meeting-house, and for protecting the bank of the river, in the borough of Wilkesbarre, from the encroachments thereof.

SECT. II. *And be it further enacted by the authority aforesaid,* That the said commissioners, before they proceed to sell any tickets

Commissioners named.

Sum to be raised.

For what purpose.

Commissioners to lay

in the said lottery, shall lay such scheme thereof before the Governor as shall meet his approbation, and shall enter into bonds with him for the due performance of their duty in selling the tickets, drawing the lottery and paying the prizes; and each of them, before entering on the duties of his appointment, shall take and subscribe an oath or affirmation diligently and faithfully to perform the duties hereby entrusted to him; and three or more of said commissioners shall attend at the drawing of each day, and when the whole is completed, shall cause an accurate list of the fortunate numbers to be published in at least three public newspapers; and shall pay and discharge the prizes that shall be demanded by persons legally entitled thereto, within sixty days after the drawing of the lottery shall be completed.

the scheme before the Governor for his approbation, and further duties of the commissioners.

SECT. III. *And be it further enacted by the authority aforesaid, That the said commissioners be, and they are hereby authorized to settle and adjust all the accounts which may be exhibited by any person or persons legally employed in carrying this act into effect, and that all expences attending the same shall be paid by the said commissioners, out of the proceeds of said lottery : Provided, That nothing herein contained, shall be taken to allow said lottery commissioners any compensation for their services enjoined on them by this act, nor shall any other person for the performance of said services.*

Authorized to adjust accounts. &c.

SECT. IV. *And be it further enacted by the authority aforesaid, That, all prizes, not demanded within twelve months next after the publication of the list of prizes, as aforesaid, shall be considered and deemed as relinquished for the benefit of the objects of the lottery.*

Limitation of time for demanding prizes.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fifteenth day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.



## CHAPTER XXX.

*An ACT to enable Joseph Marshall and William Marshall, to sell and convey the Real Estate of Andrew Marshall, late of Hamilton Township, Franklin County, deceased.*

WHEREAS it hath been represented that Andrew Marshall of the township of Hamilton, and county of Franklin, died seized of certain lands and tenements, and by his last will and

testament, did bequeath all his lands and tenements subject to the payment of certain legacies therein mentioned, unto his five sons *to wit*: Joseph, William, Samuel, John and Andrew, them, their heirs and assigns forever. And whereas it appears that it was the intention of the testator, that if a majority of his sons should agree to sell his lands after his decease, that they should have power to sell and convey the same; but it appears that the intention of the testator is not fully expressed in said will, so that doubts have arisen whether a majority of his sons as aforesaid have sufficient power delegated to them by said will to sell and convey the same. And it further appears that Samuel, one of said sons, has since died intestate and without issue, and likewise that John, another of said sons, has likewise died intestate, leaving lawful issue, *to wit*: Three sons and one daughter, all of whom are minors. And whereas it appears that it would be to the advantage of all the parties concerned, that said land should be disposed of by sale. And whereas Joseph Marshall, William Marshall and Andrew Marshall, the three surviving sons of said Andrew Marshall have prayed the Legislature to authorize the sale of the said lands, agreeable to what appears to have been the intention of the testator: Therefore,

Two of the executors of Andrew Marshall, dec'd, authorized to sell and convey the real estate of the testator, within this commonwealth. How the proceeds are to be disposed of. Said executors first to give security for the faithful execution of the trust reposed in them.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for Joseph Marshall and William Marshall, two of the executors and surviving sons of said Andrew Marshall deceased, either by public or private sale, to sell and convey all the right, title and estate, which the said Andrew Marshall, the testator had at the time of his decease to any lands and tenements, lying and being within this commonwealth, and the sale and conveyances made by the said Joseph Marshall and William Marshall to any purchaser or purchasers shall be as good and available in law, as if the same had been made by said Andrew Marshall, the testator in his lifetime, the proceeds of which sale shall go in the same manner and proportion and to the same persons or their legal representatives, as is directed by the last will and testament of the aforesaid Andrew Marshall: *Provided*, that before the said Joseph Marshall and William Marshall shall proceed to sell the said lands, they shall enter into bonds with sufficient surety to be approved of by the orphans court, of the county of Franklin, to the register of wills, for the said county for the due execution of the trust hereby reposed in them, and for the faithful appropriation of the proceeds of the said sale, agreeably to the intention

when the whole is completed, shall cause an accurate list of the fortunate numbers to be published in one of the papers printed at Easton, and one in Allentown, and shall pay and discharge the prizes that shall be demanded by persons legally entitled thereto, within forty days after the drawing shall be completed.

SECT. III. *And be it further enacted by the authority aforesaid,* That the said commissioners be, and they are hereby authorized to settle and adjust all the accounts which may be exhibited by any person or persons legally employed in carrying this act into effect, and that all expences attending the same, shall be paid by the said commissioners out of the proceeds of the said lottery: *Provided,* that nothing herein contained, shall be taken to allow said lottery commissioners any compensation for the performance of the duties enjoined on them by this act, nor any other person for the performance of said services.

Authorized to settle accounts, &c.

SECT. IV. *And be it further enacted by the authority aforesaid,* That all prizes not demanded within twelve months next after publication as aforesaid, shall be considered and deemed as relinquished, for the benefit of the aforesaid congregations.

Prizes not demanded within twelve months, to be retained.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fifteenth day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

### CHAPTER XXXIII.

*An ACT granting Joseph Gwyne the Depreciation of his Pay as a Soldier.*

WHEREAS it has been represented to the Legislature, that Joseph Gwyne now residing in Greene county, was enlisted as a soldier in the eighth Pennsylvania Regiment for three years, which time he served faithfully, and was discharged without receiving the depreciation of his pay: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Joseph Gwyne, be, and he is hereby allowed the sum of one hundred and fifty-six dollars in full, for his depreciation of pay for services as a soldier in the late revolutionary war, to be paid him or his attorney on warrant drawn by the governor

Allowance to Joseph Gwyne, for his services as a soldier.

out of any unappropriated monies in the treasury of this Commonwealth.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fifteenth day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

CHAPTER XXXIV.

*An ACT to raise by way of Lottery a sum not exceeding four thousand Dollars, for purchasing a lot or lots of ground, building a School-house and House for Religious Worship thereon, in the Borough of Bedford.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Terence Campbell, William Proctor, junior, John Anderson, George Henry, William Griffith, Samuel Tate, Martin Reily, Samuel Davidson and Henry Wertz, jun. or any five of them be, and they are hereby appointed commissioners, to raise by way of lottery a sum of money not exceeding four thousand dollars, for purchasing a lot or lots of ground in the borough of Bedford, for building thereon a school-house for the education of youth, and a house of religious worship, for the use of Christians of every denomination whatsoever.

Commissioners appointed.

Sum to be raised, and how to be applied.

Commissioners to lay the scheme of the lottery before the Governor for his approbation.

To give bonds for the due performance of their duty.

Their qualifications and further duties.

Authorized to settle accounts, &c.

SECT. II. *And be it further enacted by the authority aforesaid,* That the commissioners before they proceed to sell any tickets in the said lottery, shall lay such scheme thereof before the Governor as shall meet his approbation, and enter into bonds to him for the due performance of their duty in selling the tickets, drawing the lottery and paying the prizes, and each of them before entering on the duties of his appointment, shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties herein intrusted to him, and two of the commissioners at least shall attend each days, drawing of the aforesaid lottery, and when the whole is completed shall cause an accurate list of the fortunate numbers, to be published in the Bedford Gazette and Franklin Repository.

SECT. III. *And be it further enacted by the authority aforesaid,* That the commissioners, be, and they are hereby authorized to settle and adjust all accounts which may be exhibited by any

their hands and seals, the names of the subscribers and the number of shares subscribed by each, to the Governor of this commonwealth, and thereupon it shall and may be lawful for the Governor by letters patent under his hand and the seal of the state, to create and erect the subscribers; and if the said subscriptions be not full at the time, then also those who shall afterwards subscribe to the number aforesaid, into one body politic and corporate in deed and in law, by the name, style and title of 'The president, managers and company of the Hanover and Maryland line turnpike road,' and by the said name, the subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding their said capital stock and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing, taking and holding to them and their successors and assigns, and of selling, transferring and conveying in fee simple or for any less estate, all such lands, tenements, hereditaments and estates, real and personal, as shall be necessary to them in the prosecution of their works, and of suing and being sued, and of doing all and every other matter and thing, which a corporation or body politic may lawfully do.

Style and powers of the corporation.

SECT. III. *And be it further enacted by the authority aforesaid,* That the commissioners aforesaid, as soon as conveniently may be after said letters patent shall be sealed and obtained, shall give notice in three of the public newspapers, one in the town of Hanover, one in the borough of York, and one in Gettysburgh of a time and place by them to be appointed, not less than twenty days from the publication of the first notice, at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes of the said subscribers, by ballot to be delivered in person or by proxy duly authorized, one president and twelve managers, one treasurer and such other officers as they shall think necessary to conduct the business of the said company for one year, and until such other officers shall be chosen, and shall and may make such bye-laws, rules, orders and regulations not inconsistent with the constitution and laws of this commonwealth, as shall be necessary for the well-ordering the affairs of the said company, and generally have like powers, authorities and privileges necessary for carrying on and completing the said turnpike road, and be subject to all the duties, qualification, restrictions, penalties, fines and forfeitures, and be entitled to like tolls and profits in proportion to the distance as are given and granted to the president, managers and company of the Sus-

The commissioners to notify the subscribers to meet for the purpose of organizing the corporation. Officers to be chosen.

Further powers, privileges, &c. of the company, &c. and to what duties, restrictions, &c. they are subjected.

Time allowed for commencing and finishing the road.

quehannah and York Borough Turnpike Road: *Provided*, That if the company shall not proceed to carry on the said work three years after the passing of this act, or shall not within seven years afterwards complete the said road according to the true intent and meaning of this act, then in either of these cases, all singular the rights, liberties and franchises hereby granted to the said company shall revert to this commonwealth.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the twenty-second, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER XXXVI.

*An ACT for the Relief of the Inhabitants of the Village of Palmyra, in the Township of London Derry, Dauphin County.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That John Elder, Matthew Irwin, Daniel Wonderlich, John Ernst, John Downy and Levi G. Hollingsworth, be, and they are hereby appointed commissioners to raise by way of lottery a sum not exceeding three thousand dollars, for the purpose of procuring and bringing into the said Village, a sufficient supply of water for the use of the inhabitants thereof.

Commissioners appointed to raise by lottery 3000 dollars for the purpose of procuring water for the village of Palmyra. Before selling the tickets the commissioners are to submit a scheme to the Governor for his approbation, enter into bond, &c. Further duties of the commissioners.

SECT. II. *And be it further enacted by the authority aforesaid,* That before the said commissioners proceed to sell any tickets in said lottery, they shall lay such scheme thereof before the Governor, as shall meet his approbation, and shall enter into bonds to him for the faithful performance of their duty in selling the tickets, drawing the lottery and paying the prizes and paying over the nett proceedings of the lottery. And each of them before entering on the duties of their appointment, shall take and subscribe an oath or affirmation diligently and faithfully to perform the duties hereby intrusted to him. And at least three of the said commissioners shall attend the drawing of each day. And when the whole is completed, shall cause an accurate list of the fortunate numbers to be published in one newspaper at Harrisburgh and one at Lebanon. And the commissioners shall settle and adjust all accounts for necessary expences of the lottery, and shall pay the same out of the proceeds thereof, and the nett

balance shall be paid to the trustees hereafter mentioned. And all prizes not demanded within twelve months after the publication aforesaid, shall be considered as relinquished for the benefit of the undertaking; but in settling said accounts, said Commissioners shall not receive any compensation for the performance of the duties enjoined upon them by this act.

SECT. III. *And be it further enacted by the authority aforesaid,* That Levi G. Hollingsworth, Daniel Wonderlich, Henry Longenecker, John Kean and Joseph Carmony, be, and they are hereby appointed Trustees to receive from the Commissioners aforesaid, the nett amount of the monies raised by the Lottery, and it shall be their duty also to devise and plan and cause to be dug, made and executed such works, machinery and engines as will lead and procure from Derry Meeting-house spring or elsewhere, such supply of water as may be sufficient for the use of said village, and to vent or discharge the same, either at three or more central and convenient places within the village, or to supply the inhabitants at their houses respectively, by conducting pipes, branching from a grand conductor or reservoir, and the trustees shall in the manner hereinafter mentioned, have perpetual succession: *that is to say,* The above mentioned trustees shall serve two years from the time when the drawing of the lottery is finished, at the end of which time the inhabitants residing on or owning real property in the said village, shall meet at their public school, house and by ballot elect three trustees to manage, superintend and conduct said water works for two years and so on biennially hereafter

Trustees appointed to receive from the commissioners the nett proceeds of the lottery their further duties.

Said Trustees and those to be elected in future to have perpetual succession.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the above mentioned trustees, before entering upon the duty of their appointment, shall give bond to the county commissioners in such sum as the said commissioners shall think just and reasonable, conditioned for the faithful management of the monies intrusted to them, and their delivering up to their successors such books, papers and materials, and paying over all monies remaining in their possession at the expiration of their time, and their successors shall have power to investigate examine and settle their accounts, which they shall render upon oath or affirmation when required by their successors.

Trustees to give bonds, &c.

SECT. V. *And be it further enacted by the authority aforesaid,* That if any balance of money remains after the water has been procured and the machinery completed, it shall be carefully vested in some productive fund or loan, and shall be held for the purpose of keeping the same in repair, but if no balance shall remain sufficient to keep the same in good repair, then it shall be lawful for the trustees to assess and levy upon each person owning or resid-

How any balance remaining, after water is procured, shall be vested if there be no balance



ing on real property in said village, and having the use of the water, their proportionate share of the expences of keeping the same machinery and works in repair.

SECT. VI. *And be it further enacted by the authority aforesaid,* That nothing herein contained shall be construed to vest in the said trustees or any of them, any power to enter upon the lands of any person, or to dig, take or lead away the water therefrom, unless the consent of the owner and of all parties interested therein be first had and obtained.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-second day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER XXXVII.

*A further SUPPLEMENT to the act, entitled "An act to provide for the erection of a House for the Employment and Support of the Poor in the County of Dauphin."*

WHEREAS it has been represented to the Legislature, that by the act, entitled "An act to provide for the erection of a house for the employment and support of the poor in the county of Dauphin," passed the twenty-eighth day of March, one thousand eight hundred and six, the directors of the poor and of the house of employment for the county of Dauphin, are made a body politic and corporate in law, and by that name shall and may receive, take and hold, any lands, tenements and hereditaments, and any goods and chattles whatsoever, of the gift, alienation or bequest of any person or persons whomsoever, and to purchase, take and hold any lands and tenements within said county, in fee simple, or otherwise, but that the said act does not give to the judges of the courts of justice in and for the said county and jurors, competent jurisdiction for the recovery at law of any gift, grant, devise or bequest made to and for the said corporation, or give to the citizens of of the said county, competency as witnesses in suits at law in claims respecting the same, whereby cases have occurred and may again occur, which would be without remedy, and it is necessary that the same should be explained and amended: Therefore,

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,*

Exception  
from the  
powers of  
the Trust-  
ees.

That in all actions to be commenced by the directors of the poor of the county of Duaphin for the recovery of any gift, grant, fine, forfeiture, devise or bequest made to the said corporation, or in case of any appeal brought by or against the said directors, respecting the settlement of a pauper, each and every person resident in said county in the first case, and of the counties affected thereby in the second case, shall be competent to hear, try and give testimony touching the matters in controversy.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the twenty-second, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

In suits brought by, or against the director of the poor in the county of Duaphin, every resident within said county shall be a competent juror or witness, &c

## CHAPTER XXXVIII.

*An ACT to authorize and empower Priscilla Dill, widow of Thomas Dill, deceased, William Wireman, senior and William Wireman, junior, Guardians of the minor Children of Thomas Dill, and administrators of the estate of Caleb Dill, deceased, to sell and convey one fourth part of two several Tracts of Land in Monahan Township, in the County of York.*

**W**HEREAS it has been represented to the Legislature, that Thomas Dill, late of the township of Monahan in the county of York, died intestate, being in his life-time seized and entitled to one equal undivided fourth part of two plantations or tracts of land, lying in Monahan township in the county of York, leaving a widow, named Priscilla Dill, by whom he had issue : namely, Caleb, John, Priscilla, James and Elizabeth Dill, all minors except Caleb, Dill eldest son, who agreeably to the directions of the Orphans' Court of that county, had a jury of twelve men appointed, who made appraisement thereof, and made return of the same to the said Orphans' Court, that the said Caleb Dill with intent to take the same, at the appraisement, had one of the said tracts laid off into town lots with the consent of the widow, and William Wireman, guardian of the minor children with a view of taking the same at the next succeeding Orphans' Court, but before this time arrived the said Caleb Dill died. And whereas the aforesaid widow and guardian of the minor children of Thomas Dill, and the widow and administrators of Caleb Dill, deceased, have by their petition to the legislature, set forth that the land is unproductive in its present state, and that one of the said tracts

benignly situate on the intersection of sundry public roads, and being small is so cut up by them as to render it unfit for farming to advantage, that the other tract lying at some distance from the former, and being also small, and both but little improved, are not capable of being managed so as to afford much benefit to the widow and children, they therefore believing it would be much more beneficial to lay off and sell one of the said tracts in town lots. as contemplated by the said Caleb in his life-time: therefore, have prayed the legislature to pass a law, enabling them to sell either one or both of the tracts aforesaid, in such manner as will be of most advantage to the said widow and minor children. And whereas upon investigation, it appears manifestly for their advantage that the same should be disposed of in the manner as represented by the petitioners: Therefore,

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* Priscilla Dill, widow and administratrix of Thomas Dill, late of the township of Monahan in the county of York, deceased, William Wireman, senior, guardian of the minor children of the said Thomas Dill and William Wireman, junior, administrators of the estate of Caleb Dill, deceased, or the survivor of them be, and they are hereby authorised and empowered to sell all the right and estate of Thomas Dill, of, in, and to the one equal fourth part of two plantations or tracts of land lying and situate in the township of Monahan, in the county of York, of which he died seized, one of the said tracts containing one hundred and seventy acres and fifty-nine perches and allowance, known by the name of Elizabeth Dillstown, the other tract containing one hundred and fifty acres and allowance, as herein described, or however else the same ought to be described either by public or private sale, for the best price which can be obtained for the same, and to do all acts necessary for carrying into effect the powers given by this act as fully and effectually as the said Thomas or Caleb Dill could or might do were they now living and personally acting for themselves, and the proceeds of the sale of the said estate shall be distributed agreeably to the existing intestate laws of this commonwealth as before the passing of this act: *Provided, That* before any sale be made as aforesaid, a bond with sufficient surety to be approved of by the Orphans' Court of the county, shall be

the repre-  
sentatives of  
Thomas Dill  
and Caleb  
Dill, dec.  
empowered  
to sell the in-  
terest of the  
said Thomas  
in two cer-  
tain planta-  
tions, situate  
in York coun-  
ty.

proceeds  
now to be  
distributed.  
Security first  
to be given  
or their  
faithful dis-  
tribution.

## CHAPTER LVIII.

*An ACT or the Improvement of the State.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor be, and he is hereby authorized to subscribe for, and in behalf of this commonwealth for the following number of shares of the stock of the several turnpike companies hereinafter enumerated: *That is to say,* of the stock of the Willkesbarre and Easton turnpike road company, two hundred and fifty shares; of the Susquehanna and Lehigh turnpike road company, one hundred shares; of the Susquehanna and Tioga turnpike road company, two hundred shares; of the Centre turnpike road leading from Reading to Sunbury, six hundred shares; of the Harrisburgh, Lewistown, Huntingdon and Pittsburgh turnpike road company, two thousand shares; of the Lancaster, Elizabeth town and Middletown turnpike road company, one hundred shares; of the Susquehanna and York borough turnpike road company fifty shares; of the Gap and New-port turnpike road one hundred shares; the amount of such subscription to be paid on warrants drawn by the governor upon the treasury in favour of the president and managers of the said companies respectively, according to the provisions of the second section of this act.

**SECT. II.** *And be it further enacted by the authority aforesaid,* That no warrant for the payment of monies for the stock or shares so subscribed shall be drawn upon the treasury, until a section or sections of the roads respectively entitling the respective companies to erect gates and demand toll shall have been completed and reported agreeably to their respective laws and a licence for that purpose obtained, and upon application by the said presidents and managers respectively, the governor shall be and hereby is authorized and required to draw his warrant on the treasury in their favour, for the payment of a number of the shares subscribed on behalf of this commonwealth, proportioned to the extent of the section or sections so completed and reported. And it shall be the duty of the said president and managers respectively upon receiving such warrant to cause certificates of shares of stock to the amount thus paid to be deposited with the treasurer of this commonwealth, and the dividends upon such shares to be thenceforth from time to time paid to the said treasurer as they shall be declared.

**SECT. III.** *And be it further enacted by the authority aforesaid,* That the unappropriated balance of the debt due from the estate of John Nicholson, the debt due from the Easton Delaware bridge

The governor authorized to subscribe in behalf of the state to certain enumerated turnpike companies.

To the Willkesbarre and Easton turnpike 250 shares.

Susquehanna and Lehigh turnpike 100 do.

Susquehanna and Tioga turnpike, 200 shares.

Centre turnpike, leading from Reading to Sunbury, 600 do.

Harrisburgh, Lewistown, Huntingdon and Pittsburgh turnpike, 2000 shares.

Lancaster Elizabethtown and Middletown turnpike, 100 do.

Susquehanna and York borough, 50 do.

Gap and Newport turnpike, 100 shares.

When and in what proportions the aforesaid shares are to be paid for, by warrants drawn on the treasury.

## CHAPTER XL.

*An ACT to raise by way of Lottery, a Sum of Money, to defray the Expences incurred by the Trustees of the German Presbyterian, and German Lutheran Congregations, in the Borough of Carlisle and its vicinity, in the County of Cumberland.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same*

Commissioners appointed.

Sum to be raised and how to be applied.

Commissioners.

to lay the scheme before the Governor and give bond for the faithful discharge of their duties.

and likewise to take an oath or affirmation.

Number of commissioners to attend each day drawing.

List of the fortunate numbers to be published &c.

Commissioners to pay the prizes within 40 days, &c.

Commissioners authorized to settle and adjust accounts, &c.

Limitation of time for

That Jacob Hendel, Joseph Shrom, Jacob Weaver, Jacob Matter, Philip Reisinger and Peter Fishburn, of the county of Cumberland, be, and they are hereby appointed commissioners to raise by way of lottery a sum of money not exceeding nine thousand dollars, to be by them equally divided and applied to the payment of the debts and completing their respective churches: (to wit) the German Presbyterian and German Lutheran churches, in the Borough of Carlisle, in the county of Cumberland.

SECT. II. *And be it further enacted by the authority aforesaid* That the said commissioners, before they proceed to sell any tickets in the lottery aforesaid, shall lay such scheme thereof before the Governor as shall meet his approbation, and enter into bond to him for the due performance of their duty in selling the tickets, drawing the lottery and paying the prizes; and each of them before entering on the duties of his appointment, shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby intrusted to him; and three or more of said commissioners shall attend at the drawing of each day; and when the whole is completed, shall cause an accurate list of the fortunate numbers to be published in one of the English and German papers printed in the borough of Carlisle; and shall pay and discharge the prizes that shall be demanded, by persons legally entitled thereto, within forty days after the drawing shall be completed.

SECT. III. *And be it further enacted by the authority aforesaid* That the said commissioners, be, and they are hereby authorized to settle and adjust all the accounts which may be exhibited by any person or persons legally employed in carrying this act into effect; and that all expences attending the same, except compensation to the commissioners, who shall perform their services gratis, shall be paid by the said commissioners, out of the proceeds of said lottery.

SECT. IV. *And be it further enacted by the authority aforesaid* That all prizes not demanded within twelve months next after pub-

ation as aforesaid, shall be considered and deemed as relinquished <sup>demanding</sup> prizes.  
 r the benefit of the aforesaid congregations.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—February, the twenty-second in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

CHAPTER XLI.

An ACT to change the name of Christian Febiger Carson, to Christian Carson Febiger.

WHEREAS it has been represented by Christian Carson Febiger, of the city of Philadelphia, that in compliance with the directions contained in the last will and testament of his uncle the late colonel Christian Febiger, by whom he was adopted, he has changed his name as aforesaid, and he has prayed the legislature to sanction and confirm the said change of name: Therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* and it is hereby enacted by the authority of the same, That the said Christian Carson Febiger, formerly Christian Febiger Carson, shall henceforth be called and known by the name of Christian Carson Febiger, and by the same name shall be able and capable in law, to sue and be sued, grant and receive, and do all other legal acts, as effectually to all intents and purposes as he could have done by his former name, if no change had been made therein.

Provision in  
 favour of  
 Christian  
 Carson Febi-  
 ger.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the twenty-second, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

CHAPTER XLII.

An ACT to enable the elders wardens and members of the Lutheran and Presbyterian congregations, in Robinson township, Berks county, to raise by way of lottery a sum of money for the purpose of building a Meeting-house and school-house, in the said township.

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Commissioners appointed. That William Witman, Christian Treat, Jacob Geiger, Christian Dannehower, John Westley and John Zeimer, be, and they are hereby appointed commissioners to raise by way of lottery a sum of money not exceeding three thousand dollars, to be by them applied to building a meeting-house and school-house, for the use of the Lutheran and Presbyterian congregations in Robinson township, Berks county and its vicinities.

**SECT. II.** *And be it further enacted by the authority aforesaid.* That the said commissioners before they proceed to sell any tickets in the lottery aforesaid, shall lay such scheme before the Governor as shall meet his approbation, and enter into bonds to him for the due performance of their duty in selling the tickets, drawing the lottery and paying the prizes, and each of them before entering on the duties of his appointment, shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby intrusted to him, and three or more of said commissioners shall attend at the drawing of each day, and when the whole is completed, shall cause an accurate list of the fortunate numbers to be printed in two of the newspapers published in Reading, and one of the newspapers published in Lancaster, and shall pay and discharge the prizes that may be demanded by persons legally entitled thereto, within forty days after the drawing shall be completed.

**SECT. III.** *And be it further enacted by the authority aforesaid.* That the said commissioners, be, and they are hereby authorized to state all the accounts which may be exhibited by any person or persons legally employed in carrying this act into effect, and that all expences attending the same, except wages to the commissioners, who shall render their services gratis, shall be paid by said commissioners out of the proceeds of said lottery.

**SECT. IV.** *And be it further enacted by the authority aforesaid.* That in case of the death, resignation or refusal to act, of any or all of the said commissioners, the Governor be, and he is hereby authorized to appoint another commissioner or commissioners in his or their place.

**SECT. V.** *And be it further enacted by the authority aforesaid.* That all prizes not demanded within twelve months, shall be

Commissioners appointed.  
Sum to be raised,  
how to be applied.  
Commissioners to lay the scheme before the Governor and give bond for the faithful discharge of their duties.  
and take and subscribe an oath or affirmation to that effect.  
Number of commissioners to attend each days drawing  
List of the fortunate numbers to be published, &c.  
and the prizes paid within 40 days.  
Commissioners authorized to state accounts, &c.

How vacancies are to be supplied.

Limitation

considered and deemed as relinquished for the benefit of the said German Lutheran and Presbyterian congregation. of the time for demanding prizes.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the twenty-second, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

CHAPTER XLIII.

*An ACT granting a tract of donation land to John Morris.*

WHEREAS it appears that John Morris, now residing in the county of Lancaster, was an enlisted soldier in Captain Mares's company, fourth Pennsylvania regiment, commanded by Colonel William Butler, and served as such until the year one thousand seven hundred and eighty, when he was honorably discharged; that he enlisted again in Captain Van Heer's troop of horse, and continued therein until the close of the war; that owing to his change from captain Mares's company, to captain Van Heer's troop of horse, he did not receive any donation land and to which he is in equity entitled: Therefore,

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the proper officers shall place John Morris on the list of soldiers entitled to donation lands, and on his application by himself or attorney, duly constituted, shall draw and patent to him such donation land as he would have been entitled to, had he served in the foot to the end of the war; and the said officers shall and they are hereby authorized to insert a clause in the patent aforesaid, that said donation land shall be unalienable during the life time of the said John Morris. Donation land granted to John Morris.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the twenty-second, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.



the duties intrusted to him; and at least four of the said commissioners shall attend each day's drawing of the said lottery; and when it is completed, the commissioners respectively or a majority of them, shall cause an accurate list of the fortunate numbers to be published in the following newspapers, viz. Franklin Repository and Messrs. White and Joeb's German paper in the borough of Chambersburg; and shall pay and discharge the prizes that shall be demanded, by persons legally entitled thereto, within thirty days after the drawing shall be completed.

Commissioners authorized to settle and adjust accounts.

Limitation to the demand of prizes.

SECT. III. *And be it further enacted by the authority aforesaid* That the said commissioners, be, and they are hereby authorized to settle and adjust all the accounts which may be exhibited by any person or persons legally employed in carrying this act into effect; and that all expences attending the same, except compensation to the commissioners, who shall perform their services gratis, shall be paid by the said commissioners, out of the proceeds of the said lottery.

SECT. IV. *And be it further enacted by the authority aforesaid* That all prizes not demanded within twelve months next after publication as aforesaid, shall be considered and deemed as relinquished for the benefit of the aforesaid congregation.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the twenty-fifth, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

### CHAPTER LIII.

*An ACT to enable Israel Roberts, John Ogden and William Lewis, junior, guardians of the minor children of Seth Pancoast deceased, to sell and convey certain real estate therein mentioned.*

WHEREAS it hath been represented that Seth Pancoast, late of the township of Marple in the county of Delaware, died intestate, seized of a messuage plantation and tract of land in the township of Marple aforesaid, leaving a widow and four minor children, that there are not sufficient assets to pay his debts and provide for the education of his children, and that it would

publication as aforesaid, shall be considered as relinquished for the benent of the said church.

Limitation  
of the time  
for demand  
ing prize.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the twenty-second, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER XLV.

*An ACT to raise by way of Lottery, a Sum of Money for the purpose of erecting a School-house in Shippensburg, in the County of Cumberland.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David M'Knight, John Simpson, Jacob Rahm, Samuel M'Clure, Alexander Stewart and James Lowrey, of the county of Cumberland, be, and they are hereby appointed commissioners to raise by way of lottery, a sum of money not exceeding twelve hundred dollars; to be by them applied for the purpose of erecting a School-house in Shippensburg, in the county of Cumberland.

Commissioners appointed. Sum to be raised and how applied

SECT. II. *And be it further enacted by the authority aforesaid,* That the said commissioners, before they proceed to sell any tickets in the lottery aforesaid, shall lay such scheme thereof before the governor as shall meet his approbation; and enter into bonds to him for the due performance of their duty in selling the tickets, drawing the lottery and paying the prizes; and each of them, before entering on the duties of his appointment, shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby intrusted to him; and two or more of said commissioners shall attend the drawing of each day, and when the whole is completed shall cause an accurate list of the fortunate numbers to be published in one of the English and German papers printed in the borough of Carlisle, and shall pay and discharge the prizes that shall be demanded by persons legally entitled thereto, within thirty days after the drawing shall be completed.

Commissioners to lay a scheme before the governor, for his approbation; and enter into bonds for the faithful discharge of their duties; and take and subscribe an oath or affirmation to that effect. Number of commissioners to attend each day's drawing. List of the fortunate numbers to be published, &c. prizes to be paid within 30 days, &c.

SECT. III. *And be it further enacted by the authority aforesaid,* That the said commissioners be, and they are hereby authorized to settle and adjust all the accounts which may be exhibited by any

applied.

erecting a school-house in Mayerstown, in the county of Dauphin.

Duty of the commissioners.

SECT. II. *And be it further enacted by the authority aforesaid* That the said commissioners before they proceed to sell any tickets in the lottery aforesaid, shall lay such scheme thereof before the governor as shall meet his approbation, and enter into bond to him for the due performance of their duty in selling the tickets, drawing the lottery and paying the prizes, and each of them before entering on the duties of his appointment, shall take and subscribe an oath or affirmation, diligently and faithfully to perform the duties hereby intrusted to him, and two or more of said commissioners shall attend the drawing of each day, and when the whole is completed, shall cause an accurate list of the fortunate numbersto be published in one of the English and German papers printed in the county of Dauphin, and shall pay and discharge the prizes that shall be demanded by persons legally entitled thereto, within thirty days after the drawing shall be completed: *Provided always*, That the commissioners aforesaid shall not receive any pay for any duties enjoined on them by authority of this act.

Commissioners authorized to settle and adjust accounts.

SECT. III. *And be it further enacted by the authority aforesaid*, That the said commissioners be, and they are hereby authorized to settle and adjust all the accounts which maybe exhibited by any person or persons legally employed in carrying this act into effect, and that all expences attending the same, shall be paid by the said commissioners out of the proceeds of said lottery.

Limitation to the demand of prizes.

SECT. IV. *And be it further enacted by the authority aforesaid*, That all prizes not demanded within twelve months next after publication as aforesaid, shall be considered and deemed as relinquished for the benefit of erecting the aforesaid school-house.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-first day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER LXVI.

*An ACT for discharging the sureties of Jonathan Penrose, deceased, late Sheriff of the city and county of Philadelphia, from the payment of a sum of money therein mentioned.*

WHEREAS it appears that the Commonwealth have had a lien on the estate of Jonathan Penrose, deceased, late Sheriff of

he city and county of Philadelphia, of three thousand one hundred dollars for court fines, which sum has been since discharged by his sureties, but that there is still due a balance of interest amounting to three hundred and eleven dollars: And whereas it further appears that Ann Penrose, widow of the deceased, did, during the lifetime of her late husband, with him convey as well her own estate as the interest she had in that of her late husband's; to his sureties, for the discharge of all demands had against him in consequence of his sheriffalty: That the said Ann Penrose, owing to the aforesaid conveyance, is in a very reduced situation, from which she will be much relieved should the interest as aforesaid be remitted, as it will restore to her a small remaining part of her estate, which must otherwise be sold for the payment of the interest aforesaid: Therefore,

SECT. I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the sureties of Jonathan Penrose, deceased, late sheriff of the city and county of Philadelphia, be, and they hereby are discharged from the payment of three hundred and eleven dollars, a balance of interest due the Commonwealth from the estate of the late sheriff, as aforesaid.

Exonerat  
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delphia.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-fourth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER LXVII.

A SUPPLEMENT to an act, entitled "A Supplement to an act entitled "An ACT for the more speedy and effectual collection of certain Debts due the Commonwealth"

WHEREAS the power and authority given to the commissioners, or a majority of them, by the fourth section of the act entitled "A supplement to the act entitled "An act for the more speedy and effectual collection of certain debts due the commonwealth," to settle and compromise with any person or persons who may alledge title to any of the Warrants, Lands and Estate, subjected by the said section to the said powers and authority, are found not to be so well adapted to the end designed, for want of a more specific designation of the mode of sale to be adopted and

The persons who may have compromised with the commission-ers for any of the lands, &c. of the late John Nicholson, subject to the lien of the state, empowered to effect a sale of the lands, &c. the subject of such compromise.

A commission of ten per cent. allowed to the commissioners, on the lands purchased by them for the state.

Certain duties enjoined on the treasurer of the commonwealth.

pursued by the person or persons who have, or may become parties to such settlement and compromise: Therefore,

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General assembly met, and it is hereby enacted by the authority of the same* That any person or persons, and the majority of such persons where there are more than two, and the survivor or survivors of such persons as may, have, or shall hereafter become a party to any settlement or compromise with the said commissioners, or a majority of them, shall have the same powers and authority as the said commissioners, or a majority of them, have by the several acts of this commonwealth, upon process granted by the governor, as therein prescribed, to make and carry into complete effect a sale or sales of such warrants, lands, tenements, hereditaments, estate and interest whatsoever, which John Nicholson, Esquire, late deceased, had any claim or interest in, and which may be the subject of such settlements or compromises respectively.

SECT. II. *And be it further enacted by the authority aforesaid* That the said commissioners shall be entitled to have and receive a commission of ten per cent. upon the amount of the price bid- den by the commissioners for such lands as they may have purchased for the commonwealth, to be paid in the same manner as their other commission.

SECT. III. *And be it further enacted by the authority aforesaid* That the treasurer of this commonwealth, as often as the bonds taken by the aforesaid commissioners, or any instalments thereof, shall become due, shall be, and he is hereby authorized to cause suits to be instituted for the recovery of such bonds, or the instalments thereof, and the necessary expence of prosecuting said suits shall be paid out of the treasury of this commonwealth, and in such suits a copy of the bond or bonds, certified by the treasurer of this commonwealth, shall be competent evidence to maintain the action, as if the bond itself had been procured.

SIMON SNYDER, *Speaker  
of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-fourth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER LXVIII.

*An ACT to provide for the Erection of a House for the Employment and Support of the Poor in the County of Cumberland.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the Authority of the same,* That a house for the employment and support of the poor shall be erected in the county of Cumberland in the manner and under the conditions hereinafter prescribed and enacted.

Poor-house to be erected in the county of Cumberland.

**SECT. II.** *And be it further enacted by the authority aforesaid,* That the sheriff of Cumberland county in his proclamation, giving notice of the next general election, to be held in said county, shall give notice to the electors at the election aforesaid, under the same regulations as by law said general elections are directed to be held, to elect five reputable citizens of the said county, whose duty it shall be on or before the first day of April next ensuing their election to determine upon and fix the place on which the said buildings shall be erected, and shall certify their proceedings therein under their hands and seals to the clerk of the court of quarter sessions of the county of Cumberland, to be filed in his office, and also to elect three reputable citizens of the said county in like manner, to be directors of the poor, and of the house of employment, for the county of Cumberland, and the judges of election of the said county on receiving the returns from the several election districts, and having cast up the number of votes therein, shall within three days thereafter, certify under their hands and seals the names of the persons so elected to fix on a proper scite for the said building, and the names of the directors so chosen to the clerk of the court of quarter sessions of the said county, who shall file the said certificate in his office, and forthwith give notice in writing to the said persons and directors of their being elected, and the said directors shall meet at the court house in the said county on the first Monday in November next ensuing their election, and divide themselves by lot into three classes. The place of the first to be vacated at the expiration of the first year; of the second at the expiration of the second year; and of the third, at the expiration of the third year; so that those who shall be chosen after the first election, and in the mode above prescribed, may serve for three years. And one third be chosen annually: *Provided, always,* that it shall be lawful for the said five citizens or a majority of them to receive proposals for the sale of lands whereon to erect the said buildings and accommodate the same, and to contract for and hold the same, and take conveyances therefor, in the name of the corporation herein after named,

Persons to fix the place for erecting the poor-house to be elected. Their duty.

Directors of the poor to be elected.

Certificate of the elections.

Meeting of the directors and rotation of service.

site of the  
poor-house.

Additional  
compensati-  
on to the di-  
rectors.

to fix the place where the buildings for the accommodation of the poor in said county shall be erected, such sums of money as shall be sufficient to reimburse them for their expences, and also to pay to each of the said directors such sum of money as (together with the annual sum allowed them by this act) may be, in the opinion of the commissioners, a reasonable compensation for their services during the time they are carrying on and erecting buildings aforesaid: *Provided*, The said buildings shall be completed within five years from the passing of this act.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate*.

APPROVED—the twenty-fourth day of March, in the year of our Lord one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER LXIX.

*An ACT to exonerate the real estate of Adam Nees deceased, from the lien which the Commonwealth is supposed to have on the same.*

**WHEREAS** it satisfactorily appears that an action was brought by Anne Henry treasurer of the county of Lancaster, for the use of the Commonwealth, against a certain Joseph Gehr, a delinquent collector of Cocalico township, and that said Gehr was arrested and Adam Nees became his bail, and judgment was obtained against said Gehr, that a *capias ad satisfaciendum* was issued, and said Gehr was arrested and put to prison, whereby the said Adam Nees became exonerated, notwithstanding this, said Adam Nees by mistake or otherwise paid to the treasurer aforesaid, the sum of six hundred and four pounds eleven shillings and nine pence, and that said treasurer on a settlement with the accounting officers of the treasury, had a credit for the balance as an insolvent debt due from said Joseph Gehr, but by some means or other the aforesaid judgment remains on the docket as unsatisfied against the real estate of said Adam Nees deceased. And whereas it is reasonable that the same should be exonerated: Therefore,

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

**The real estate of Adam Nees exonerated from** That the real estate of the said Adam Nees deceased, be, and the same is hereby exonerated and discharged from the lien of the judgment in the court of common pleas of Lancaster county,

and substantial bridge, over and across the river Schuylkill, at or near the falls thereof in the county of Philadelphia, and that the same when so erected shall be vested, and the same is hereby vested in the said Robert Kennedy and Conrad Carpenter, their heirs and assigns forever. And that the said Robert Kennedy and Conrad Carpenter their heirs or assigns shall and may demand and receive from travellers and others, tolls or fees for passing or using the said bridge according to the following rates: *that is to say*, for every coach, landau, phaeton or other pleasurable carriage with four wheels drawn by four horses, the sum of twenty cents; and so in proportion if more horses are added, and for the same carriages with two horses, the sum of twelve cents; for every loaded waggon with four horses, the sum of seventeen cents; and for every carriage of the same description drawn by two horses the sum of twelve cents; for every chaise, riding chair, sulky, cart or other two wheeled carriage, or a sleigh or sled with two horses the sum of ten cents; and so in proportion if more horses are added to the number herein last mentioned, and for the same with one horse, the sum of six cents; for a single horse or mule and rider, the sum of two cents; for every horse or mule without a rider, the sum of one cent; for every head of horned cattle, the sum of one cent; for every foot passenger, the sum of one cent; for every sheep or swine, the sum of half a cent; but the said tolls shall be from time to time so regulated, that no more than three fourths of the tolls demandable in other cases shall be taken for the transportation of the produce of the country, and for those laden with manure half toll, empty carriages of burthen to pass for half toll, and a proportion of the foregoing tolls to be added to the sums chargeable for carriages of burthen laden with more than two tons, wood and stone not to be considered as lading entitling carriages to a diminution of toll, nor any carriage drawn by more than six horses or oxen to be entitled to pass over the said bridge: *Provided, always*, that no toll shall be taken from any person or persons attending funerals or walking in military procession, or from persons belonging to the militia in going to, and returning from muster on days of training, and that the tolls shall be so regulated that the nett profits arising from said bridge, shall never exceed fifteen per centum per annum on the money expended in erecting the same and keeping it in repair: *And provided further*, That nothing herein contained shall authorize the said Robert Kennedy and Conrad Carpenter to erect a bridge, except where they own the ground on each side of, and contiguous to the said river, or to erect the same in such manner as to injure, stop or interrupt the navigation thereof by rafts, boats, craft or vessels without masts. And the toll of all carriages drawn wholly

thorized to erect a bridge over the Schuylkill at or near the Falls thereof, and when so erected, the same is vested in them and their heirs. With the right of demanding tolls. Rates of tolls.

The tolls from time to time to be regulated, &c.

Proviso.



clothing, lodging and diet for the said Christian Shockey; and shall, and it is hereby made the duty of the said Alexander or his executor or executors, administrator or administrators, or their lawful attorney, to make an annual return to the court of Somerset county, on oath or affirmation, how and in what manner he or they have executed the trust in him or them committed by this act.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-fourth day of March, in the year of our Lord one thousand eight hundred and eight.

THOMAS M'KEAN.

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## CHAPTER LXXI.

*An ACT incorporating the Roman Catholic congregation of Christ church, in the borough of West-chester, in the county of Chester, and for other purposes herein mentioned.*

WHEREAS it has been represented by the clergyman and trustees of the Roman Catholic congregation of Christ church, in the borough of West-chester, in the county of Chester, that John Hannum late of said borough, and Alice his wife by their indenture bearing date the twenty-eighth day of March one thousand seven hundred and ninety-three, did convey to Stephen Moylan, Anthony Hearn, Mark Wilcox, Daniel Fitzpatrick, Peter M'Gurk, Edward M'Closkey, Lewis Jenkins and Jacob Wisinburg, their heirs and assigns, a certain lot of land situate in the borough of West-Chester, late the township of Goshen, in the county of Chester, containing forty perches more or less, bounded and described as in the said indenture specified in trust for the use and benefit of the congregation of the Roman Catholic church aforesaid. It is further represented that the said indenture also specifies, that as often as the trustees or their successors, should by death or disunity be reduced to one half or less, of the whole number of trustees, that, then the said surviving trustees with the advice, order and direction of the congregation, should convey the aforesaid lot of land unto eight or more of said congregation, their heirs and assigns, and so on in perpetual succession. That in consequence of the death of some of the trustees above mentioned, and by means of other bequests and monies belonging to the congregation and not under the care of any particular person, great inconveniencies may arise, they

\* "in" wanting in the original.

use and convenience of the said bridge, or the persons employed in conducting the business thereof, or who shall wilfully and maliciously obstruct or impede the passage on or over the said bridge, he, she or they, so offending, and each of them, shall forfeit and pay to the said Robert Kennedy and Conrad Carpenter, or to such other persons or person as may be owners or owner of the said bridge for the time being, the sum of thirty dollars for each offence, to be sued for and recovered before any justice of the peace, in like manner and subject to the same regulations as debts not exceeding one hundred dollars may be sued for and recovered; and he, she or they, so offending, may and shall remain liable to actions for further damages for such torts, if the sum or sums herein mentioned, be insufficient to repair and satisfy such damages.

SECT. VI. *And be it further enacted by the authority aforesaid,* That if the legislature should at any time, not less than fifteen years after the said bridge shall have been completed, declare the same a free bridge by law, three persons shall be appointed by them on the part of this Commonwealth, and three by the said Robert Kennedy and Conrad Carpenter, or the owner or owners of the said bridge for the time being, which six persons so appointed, or any four of them, shall estimate what sum or sums of money the said Robert Kennedy and Conrad Carpenter, or the heirs or assigns of both or either of them respectively, being owner or owners of the said bridge, shall be entitled to as a compensation therefor; and also three persons shall be appointed by the said Robert Kennedy, his heirs or assigns, which three, together with those appointed as aforesaid, on the part of the Commonwealth, or any four of the whole number so appointed on behalf of the Commonwealth and of the said Robert Kennedy, his heirs and assigns, shall estimate and determine what sum or sums of money the said Robert Kennedy, his heirs or assigns, shall be entitled to as an indemnification for the ferry hitherto kept by him, which sum or sums shall be paid to the said Robert Kennedy and Conrad Carpenter, or to such other person or persons as shall derive title from, through or under them respectively, as owner or owners of the said bridge and ferry, out of any monies in the treasury not otherwise appropriated.

Of the time and manner in which the said bridge may be made a free bridge

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the twenty-second, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

the duties intrusted to him; and at least four of the said commissioners shall attend each day's drawing of the said lottery; and when it is completed, the commissioners respectively or a majority of them, shall cause an accurate list of the fortunate numbers to be published in the following newspapers, viz. Franklin Repository, and Messrs. White and Joeb's German paper in the borough of Chambersburg; and shall pay and discharge the prizes that shall be demanded, by persons legally entitled thereto, within thirty days after the drawing shall be completed.

Commissioners authorized to settle and adjust accounts.

Limitation to the demand of prizes.

SECT. III. *And be it further enacted by the authority aforesaid* That the said commissioners, be, and they are hereby authorized to settle and adjust all the accounts which may be exhibited by any person or persons legally employed in carrying this act into effect: and that all expences attending the same, except compensation to the commissioners, who shall perform their services gratis, shall be paid by the said commissioners, out of the proceeds of the said lottery.

SECT. IV. *And be it further enacted by the authority aforesaid* That all prizes not demanded within twelve months next after publication as aforesaid, shall be considered and deemed as relinquished for the benefit of the aforesaid congregation.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the twenty-fifth, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

### CHAPTER LIII.

*An ACT to enable Israel Roberts, John Ogden and William Lewis, junior, guardians of the minor children of Seth Pancoast deceased, to sell and convey certain real estate therein mentioned.*

WHEREAS it hath been represented that Seth Pancoast, late of the township of Marple in the county of Delaware, died intestate, seized of a messuage plantation and tract of land in the township of Marple aforesaid, leaving a widow and four children, that there are not sufficient assets to pay his debts, and provide for the education of his children, and that it would

That the said clergyman and trustees so elected shall have full power to elect and choose annually, one of their number to be treasurer of the said corporation; *Provided always*, That in case of the death or removal of the clergyman, and until another shall be duly appointed for the said church, the treasurer shall be accountable to the trustees duly elected as aforesaid, for all sums of money which may remain in his hands, and the said trustees shall have the same power and authority relating to the disposal of the same, and also of the rents and revenues of the said corporation, as is herein before vested in the clergyman and trustees.

Clergyman and trustees authorized to choose annually a trustee. Who is to be accountable &c.

SECT. X. *And be it further enacted by the authority aforesaid*, That the clear yearly value of the messuages, houses, lands, tenements, rents, annuities or other hereditaments, and real estate of the said corporation, shall not exceed the sum of four thousand dollars.

Limitation of the yearly income of the corporation.

SECT. XI. *And be it further enacted by the authority aforesaid*, That the surviving trustees appointed by the indenture, referred to in the preamble of this act or their successors duly elected, may assign and transfer by such conveyance as they may deem expedient, the lot or piece of land specified in the said indenture, alluded to in the preamble aforesaid, conveyed to them in trust and for the use of the aforesaid congregation and church, and generally all property of whatsoever kind held by them in trust as aforesaid, to the corporation named in the first section of this act; and the said corporation is hereby authorized to accept and receive such conveyance which shall be as effectual and available in law to all intents and purposes, and the title thereby as complete and vested in the said corporation as if the same had been made to eight or more of the aforesaid congregation, according to the directions specified in the said indenture aforesaid.

The trustees named in the indenture referred to in the preamble of the act enabled to convey to the corporation, &c.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-fourth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER LXXII.

*An ACT to authorize the commissioners of the county of Northampton to affirm a contract made with Jacob Stroud.*

WHEREAS it has been represented, that in the year of our Lord, one thousand seven hundred and ninety-eight, the

Commission-  
ers authoriz-  
ed to settle  
and adjust  
accounts, &c.

Limitation  
of time for  
demanding  
prizes.

person or persons legally employed in carrying this act into effect and that all expences attending the same shall be paid by the said commissioners out of the proceed of said lottery.

SECT. IV. *And be it further enacted by the authority aforesaid* That all prizes not demanded within twelve months next after publication as aforesaid, shall be considered and deemed as relinquished for the benefit of erecting the aforesaid School-house.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the twenty-second, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER XLVI.

*An ACT to validate and confirm the proceedings of certain Justices of the Peace, in the County of Adams in cases therein mentioned.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That all acknowledgements of deeds, powers of attorney and other instruments of writing, taken prior to the twenty-eighth day of March, one thousand eight hundred and seven, before justices of the peace, who had been commissioned for districts within the county of York, which were included within the county of Adams by the act for erecting the said county of Adams, and all judgments rendered by the said justices prior to the said twenty-eighth day of March, one thousand eight hundred and seven be, and they are hereby declared to be as valid and effectual to all intents and purposes, as if the said act had not been passed, or as if the said justices had been appointed and commissioned for the county of Adams, and where appeals have been made from the judgments of the said justices, the same may be prosecuted to judgement, discontinuance or non-suit as in other cases.

Confirma-  
tion of the  
acts of the  
justices of  
the peace,  
commission-  
ed for York  
county, who  
by the divisi-  
on fell with-  
in Adams  
county.

Appeals  
from their  
judgments  
may be pros-  
ecuted, &c.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—February the twenty-second, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

the stone bridge which John Stroud originally contracted to build over Jones's creek, near Stroud's mill, in said county, as fully to all intents and purposes, and with the like force and effect, as if the said parol contract had been conformable to the order of the court, and in all respects according to law.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-fourth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER LXXIII.

An ACT to enable the governor to incorporate a company for making an artificial road from the city of Philadelphia, by Chad's ford on Brandywine to the line of the state in a direction towards Baltimore.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Edward Tilghman, William Levis and Joseph Lownes, of the city of Philadelphia. Mark Willcox, William Trimble and Caleb Lownes, of the county of Delaware; Amos Harvey, James Kelton and John Menough, of the county of Chester, be, and they are hereby appointed commissioners to perform the several duties herein mentioned, that is, they shall on or before the first Monday of May next, procure four books, and in each of them enter as follows, "We whose names are hereunto subscribed, promise to pay to the president, managers and company of Philadelphia, Brandywine and New-London turnpike road, the sum of fifty dollars for every share of stock in said company, set opposite to our respective names in such manner and proportions, and at such times as shall be determined by the president and managers of the said company, in pursuance of an act of the general Assembly, entitled "An act to enable the governor to incorporate a company for making an artificial road from the city of Philadelphia, by Chad's ford on Brandywine, to the line of the state in a direction towards Baltimore." Witness our hands the

Commissioners appointed to open books and receive subscriptions to the Philadelphia Brandywine and New-London Turnpike road.  
Form of subscription.

day of \_\_\_\_\_ in the year of our Lord, one thousand eight hundred and \_\_\_\_\_ and shall give notice in three of the public newspapers printed in the city of Philadelphia, and in one or more printed in the borough of Lancaster, for one calendar month at least, of the times and places, when and where the said books

Manner of giving notice of the time and place of opening the books to receive sub-

A certain part of the Road tax on unseated lands, in the counties through which the said road passes, appropriated to defray the expence of opening the same;

and how paid.

Copies from the drafts and of this Act to be transmitted to the Commissioners and Trustees of the respective Counties, and County Districts. How the accounts of the said Road Tax shall be kept and drawn for, &c.

That one third part of the road tax on unseated land in the county of Luzerne, (to be taken from the money collected from the different townships, in such proportions as the county commissioners shall deem equitable;) the road tax on unseated lands in that part of Lycoming county that was detached from Luzerne by the act of April second, one thousand eight hundred and four; the whole of the road tax on unseated lands in the county districts of Tioga, Potter and McKean; one half the road tax on unseated land in Warren; and the road tax on unseated lands in the county of Erie, derived from the townships through which the said road passes, be, and they are hereby appropriated for two years, to defray the expence of opening the said road, through the said counties and county districts respectively; to be paid upon warrants drawn by the commissioners of the counties in favour of the persons \* appointed to open the said road.

SECT. III. *And be it further enacted by the authority aforesaid.* That the Secretary of the Commonwealth be, and he is hereby required to cause copies of such parts of said drafts, as designate the routes in and through the said counties and county districts, to be transmitted, together with a copy of this act, to the commissioners and trustees of the respective counties and county districts.

SECT. IV. *And be it further enacted by the authority aforesaid.* That it shall be the duty of the several treasurers of the counties through which said roads may pass, to keep a separate account of all monies received by them, as road tax on the unseated lands in each respective township; and on or before the first day of November, annually, furnish the board of commissioners with a statement of the amount, designating the sums received on the road assessments of each township; and it shall be the duty of the respective boards of county commissioners to open accounts with and credit each township with the amount received for its use; and on or before the first day of March, annually, draw orders on the county treasurer in favour of the respective supervisors then being, for the amount credited to their respective townships, charging the proper township with the amount so drawn.

SIMON SNYDER, *Speaker*  
of the House of Representatives.  
P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty eighth day of March, in the year one thousand eight hundred and eight.

THOMAS MCKEAN.

\* "person" in the original.

† "designates" in the original.

## CHAPTER CXXI.

2 SUPPLEMENT to an act, entitled "*An act to incorporate trustees for the Meadville academy, and to establish the same.*"

**W**HEREAS it has been stated to the legislature, that inconveniences have arisen under the act to which this is a supplement, because it is required therein, that at least fifteen trustees should be present to make a quorum, and that after various efforts had been made to organize the incorporation and repeated meetings and adjournments had taken place, at any of which the equal number of trustees were not present at any one time, so as to make a quorum, in consequence of which a lapse took place, because all the trustees did neglect to attend at the time and place to which the previous meeting had adjourned: Therefore,

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passing of this act, it shall and may be lawful for any eleven of the Trustees named in the act, entitled "*An act to incorporate trustees for the Meadville academy, and to establish the same,*" passed the thirty-first day of March, one thousand eight hundred and seven, and they hereby are authorized to do and perform all matters and things which the quorum mentioned in the fourth section of the said act, could or ought lawfully to do, under the authority of the same.

SECT. II. *And be it further enacted by the authority aforesaid,* That the aforesaid law is hereby revived and declared to be in force as fully as if no lapse had taken place; and the said trustees or the quorum herein mentioned shall hold their next meeting in the academy or any of the buildings appertaining thereunto, in Meadville, at such time or times as they shall appoint, they having first given such public notice as is directed to be given in the said original act.

SECT. III. *And be it further enacted by the authority aforesaid,* That all powers and authorities given to or vested in the trustees named in any law or laws passed before the act to which this is a supplement, in relation to the "*Meadville seminary,*" is hereby revoked and made void, and such trustees are hereby made, and shall be liable to render a just account of the receipts and expen-

Any eleven trustees of Meadville academy empowered to do all things which the quorum mentioned in the incorporating act might do. The said law revived and declared to be in force as fully as if no lapse had taken place, and the trustees or a quorum shall hold their meetings, &c. All powers and authorities vested in the trustees by any law or laws prior to the incorporation-



Regulations  
of the bur-  
then of carri-  
ages to be  
drawn along  
said road.  
Time for  
commencing  
and complet-  
ing the road.  
Powers of  
redemption.

SECT. IV. *And be it further enacted by the authority aforesaid*

That no waggon or other carriage, the wheels of which shall be four inches in breadth, shall be drawn along the said road with a greater weight than two and a half tons.

SECT. V. *And be it further enacted by the authority aforesaid*

That if the said company shall not proceed to carry on the work within seven years after the passing of this act, or shall not within twenty years thereafter complete the said road according to the true intent and meaning of this act, then and in either case shall and may be lawful for the legislature to resume all and singular the rights, liberties, privileges and franchises by this act granted to the said company.

SIMON SNYDER, *Speaker*  
*of the House of Representatives*

P. C. LANE, *Speaker of the Senate*.

APPROVED—the twenty-fourth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN

## CHAPTER LXXIV.

*An ACT authorizing the Governor to contract with John Bioren to print the Laws of this Commonwealth.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

The govern- That in order to continue a publication of the Laws, corresponding  
or authoriz- with and in continuation of the edition of Carey and Bioren, the  
ed to con- Governor be and hereby is authorized and required to contract  
tract for the with John Bioren, of the city of Philadelphia, printer, in behalf  
printing of and for the use of this Commonwealth, the said Bioren to give  
the 1300 copies, security on his part, for thirteen hundred copies of the Laws of  
in the volume the Commonwealth, including three sessions, the session one thou-  
form, of the sand eight hundred eight-nine, one thousand eight hundred nine-  
Laws of 1808- ten, one thousand eight hundred ten-eleven, to be printed on fine  
9, 1809-10, paper and with a good type, a specimen whereof shall previous-  
1810-11, with be delivered, and if approved by the Governor, shall be lodged  
John Bioren, in the office of the Secretary of the Commonwealth, to be hand-  
who is to somely lettered and bound, with a complete index, proper notes  
give securi- and references, at a price not exceeding two dollars per copy; and  
ty, &c. also for three thousand copies of the session one thousand eight-  
And also for hundred eight-nine, three thousand copies of the session one thou-  
3000 copies sand eight hundred nine-ten, three thousand copies of the sessio-  
of the sessi- and 1813-14, one thousand eight hundred ten-eleven, three thousand copies of  
ons of 1808- and 1811-12, 1812-13,

the session one thousand eight hundred eleven-twelve, three thousand copies of the session one thousand eight hundred twelve-thirteen, and three thousand copies of the session one thousand eight hundred thirteen-fourteen, in pamphlet form, at and for the sum of thirteen hundred and fifty dollars for the Laws of each session; and for thirteen hundred copies, handsomely bound and lettered with a complete index, proper notes and references, including the Laws of the three last named sessions, at and for the price of two dollars per copy: *Provided*, The same shall be equal to the specimen approved and lodged in the Secretary's office aforesaid.

in the pamphlet form; and for 1300 copies in the volume form comprising the laws of the three last named sessions, &c.

The secretary of the Commonwealth authorized to subscribe for 300 copies of the 8th vol. provided they can be had at 2 dols.

SECT. II. *And be it further enacted by the authority aforesaid*, That the Secretary of the Commonwealth shall subscribe for three hundred copies of the eighth volume of the edition of the Laws of this Commonwealth, now printing by John Bioren, in addition to the thousand copies heretofore contracted for: *Provided*, The same can be had at two dollars per copy.

SIMON SNYDER, *Speaker*

*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-fourth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER LXXV.

*A SUPPLEMENT to the Act for the Regulation of the Militia of the Commonwealth of Pennsylvania.*

SECT. I *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same*, That the field officers of any regiment, or a majority of them shall have power to direct training or exercising in battalions instead of regiments, and that either of the brigadiers general in the first division, and the field officers belonging to either of the brigades in the said division, or a majority of them, shall be authorised to direct regimental, instead of company or battalion trainings, and on notice being given by either of the brigadiers general of the said division to the brigade inspector of the proper brigade, that such regimental trainings are ordered, it shall be his duty to notify the same in the manner hereinbefore directed in the case of regimental trainings: *Provided nevertheless*, that the field officers of the one hundred and forty-first regiment, commanded by Colonel

The militia may be exercised in battalions instead of regiments: And in the first division there may be regimental instead of company or battalion trainings. Of giving notice thereof. Proviso in favor of the 141st regt.

Wilkins, or a majority of them shall have power to direct training in regiment instead of battalion.

Of additional  
volunteer  
companies,

SECT. II. *And be it further enacted by the authority aforesaid* That whenever the field-officers of any regiment, or a majority of them shall deem it expedient, there may be raised one company of light infantry grenadiers, riflemen or pikemen to each battalion, consisting of two hundred and fifty enrolled Militia in addition to those authorised by the act to which this is a supplement, who shall be subject to the same regulations and restrictions provided in and by the said act. And whenever they shall have determined that any additional companies are necessary, they shall certify such determination to the brigade inspector, who is hereby authorised to direct an election to be held for such company or companies, in such manner as is provided by the act to which this is a supplement. And on a certificate signed by the field-officers aforesaid, that there are thirty men in complete uniform, the governor is hereby required to commission the officers legally elected and returned as well of those companies already raised, as of those hereafter to be raised.

How to be  
raised.

Limitation of  
time for con-  
testing elec-  
tions.

SECT. III. *And be it further enacted by the authority aforesaid* That in case the election of a brigadier general or brigade inspector is contested, no complaint or petition shall be acted upon after the lapse of thirty days, if the election of a field-officer, not after twenty, and if the election of a company officer, not after ten.

Penalty on  
officers  
appearing  
on parade  
without uni-  
form.

SECT. IV. *And be it further enacted by the authority aforesaid* That if any subaltern officer shall appear on parade without uniform, six months after his being commissioned, such officer shall be fined one dollar for every offence, and that if any other officer shall appear on parade without uniform as aforesaid, such officer shall be fined two dollars for every offence.

How the age  
of enrolled  
persons is to  
be determin-  
ed in the  
first instance.

SECT. V. *And be it further enacted by the authority aforesaid* That the age and ability of any enrolled person to bear arms, shall be determined in the first instance by the captain or commanding officer of a company, with such right of appeal as may be had in any other case.

By-standers  
molesting  
those on pa-  
rade may be  
put under  
arrest.

SECT. VI. *And be it further enacted by the authority aforesaid* That if any spectator or by-stander shall abuse, molest or strike any one on parade or under arms, the person so offending, shall be immediately put under arrest or guard, and kept at the discretion of the commandant of the regiment, company or corps, until the regiment, battalion or company is dismissed.

Special pro-  
visions in fa-  
vor of the

SECT. VII. *And be it further enacted by the authority aforesaid* That the troops of cavalry, and the companies of artillery, riflemen and light infantry, forming the militia legion of Philadelphia

shall be authorised to elect a lieutenant-colonel-commandant and such other field-officers as the legion or a majority of them may deem expedient in such manner as other officers of the same grade are made eligible by law, who shall be commissioned by the governor, and the members of the said legion shall have power to enact by-laws for their own government, so far as to fix as many days of training over and above those established by law, as any board constituted by themselves shall agree upon, and to levy and collect such fines for non-attendance on days of training, or for absence from any meeting agreed upon by any by-law, which fines shall be collected by any person authorised by the commanding officer of any company or troop or the commandant of the legion by virtue of his warrant under his hand and seal, and the fines so collected shall be applied to the purpose of paying the expences of the said legion. And in case of a call for the quota of Militia of this commonwealth or for volunteers therefrom, the aforesaid legion may tender their services to the president of the United States, or to the governor of this commonwealth, or in case no such tender of service be made, the tour of duty of said legion may be performed in their legionary capacity: *Provided*, That nothing herein contained shall be understood to exempt any of the companies or troops aforesaid, from training with the regiments to which they respectively belong, on those days required by law for regimental or brigade trainings.

SECT. VIII. *And be it further enacted by the authority aforesaid*, That the articles, rules and regulations for the government of the militia, shall extend to the musicians thereof.

SECT. IX. *And be it further enacted by the authority aforesaid*, That the troops of cavalry already raised or hereafter to be raised, shall be attached to the respective regiments, not more than two troops to each regiment and that the companies of artillery not belonging to the regiment commanded by lieutenant-colonel Connelly, shall be in like manner attached to the regiments, not more than one company to each, and the troops of cavalry, and the companies aforesaid shall be subject to the same fines for their absence from regimental trainings as the members of other militia corps.

SECT. X. *And be it further enacted by the authority aforesaid*, That whenever the militia are called into the actual service of this state or of the United States, it shall and may be lawful for the governor to organize the light infantry, grenadiers, riflemen and pikemen into brigades, regiments or battalions, in such manner that each regiment shall consist of not less than four hundred, each battalion of not less than two hundred, and each company of not less than fifty men, to be officered as follows: *viz.* To each brigade one brigadier-general, to be elected by the officers

militia legion of Philadelphia.

The regulations for the government of the militia extended to the musicians thereof.

The cavalry and artillery companies to be attached to the respective regiments, &c.

The governor empowered on a call of the militia into actual service, to organize the light infantry grenadiers, &c

Of the election of the officers,

beginning, has become populous, and is daily becoming more so, and the freeholders thereof are erecting buildings and making improvements, but for want of some public and general regulation the buildings are irregularly placed, and it has become necessary that the lines of the Streets and Alleys should be laid out and surveyed, to insure more regularity in future: Therefore,

**SECTION I.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly,*

Commissioners appointed to survey the streets, &c. within a certain described part of the township of Moyamensing, and lay out new streets, &c.

A correct draft thereof to be made and returned to the court of quarter sessions of Philadelphia county; there to be filed for public inspection, by the clerk, who is to give public notice.

Objections thereto to be heard and decided by the court, &c.

In case of the death, resignation, &c. of any of the commissioners, the vacancies to be supplied by the governor.

*and it is hereby enacted by the authority of the same, That* Peltz, John Kessler and John Maitland, be, and are hereby appointed commissioners; who or any two of them, taking to their assistance an able surveyor, shall have full power and authority to survey the streets, lanes, and roads already laid out, and within the district before described, and also to lay out such other streets, lanes, alleys and roads, within the said district, as they shall deem necessary for the convenience and accommodation of the inhabitants thereof; and it shall be the duty of the said commissioners, after having made such survey, and laid out such streets, lanes, alleys and roads, as they shall deem proper as aforesaid, to make or cause to be made a correct draught or plan thereof, with every explanation necessary for the perfect understanding of the same, and return the same to the court of quarter sessions for the county of Philadelphia; and it shall be the duty of the clerk of the said court to receive and file the said draught or plan in his office, for public inspection and examination, and to give public notice, in at least two of the daily newspapers published in the city of Philadelphia, that on a certain day, to be appointed by the court, the said court will hear any objections that may be made thereto by any of the freeholders residing within the said district, who shall consider themselves aggrieved, and the said court shall, at the time appointed, adjudge and determine whether the same shall be fully and finally established, and whether any and what alteration shall be made therein, and shall direct the said draught or plan, with such alterations as shall be made, to be recorded, and from thenceforth all the streets, lanes, alleys and roads; so approved, shall be forever hereafter deemed adjudged and taken public highways.

**SECT. II.** *And be it further enacted by the authority aforesaid, That* in case of the death, resignation or refusal to serve of any of the said commissioners, the Governor shall appoint one or more proper person or persons to supply his or their place or places, from time to time, until the end of this act shall be fully answered, which person or persons so to be appointed, shall have the same powers as if he or they were named in this act.

**ACT. III.** *And be it further enacted by the authority aforesaid,* the said commissioners shall be allowed the sum of two dollars for each and every day they shall be employed in performing duties by this act required, and also their reasonable costs and charges in procuring the surveys and draughts herein before directed to be made.

Compensation of the commissioners.

**ACT. IV.** *And be it further enacted by the authority aforesaid,* the said commissioners, having first settled their accounts with three of the justices of the peace for the county of Philadelphia shall be entitled to draw orders on the supervisors of the township of Moyamensing, for their said expences and allowances, who are hereby required and enjoined to pay the amount of such orders, the same shall be allowed to the said supervisors in the settlement of their accounts.

Commissioners' accounts how to be settled and paid.

**ACT. V.** *And whereas* the public convenience will be at present answered by the certain knowledge where and in what manner the streets, lanes, alleys and roads will in future run, but it will be necessary immediately to lay all of them open, in order thereby to provide for the opening of the same from time to time, as the increasing improvements shall require: *Be it hereby further enacted by the authority aforesaid,* That upon the petition of any number of the holders of the said district, not less than twenty, whose lands lie adjacent or adjoining to such streets, lanes, alleys and roads, to open any one or more of the said streets, lanes, alleys and roads, it shall be lawful, to and for the court of quarter-sessions of the county of Philadelphia, after hearing the petitioners and such other holders, through whose lands such road or street shall pass, as shall offer objections thereto, to appoint viewers to report whether the same be proper at the time to open such street or road, and if they shall be of opinion that the state of improvement in the neighborhood thereof shall require it, they shall issue an order to the supervisors of the roads of the township of Moyamensing, requiring and enjoining them to open such street or road, and to cause the same to be put in order and kept in repair, in the same manner as other streets or roads are by law to be opened, repaired and maintained; and the owner or owners of ground through and over which any of the streets, lanes, alleys or roads shall pass, shall be obliged to proceed in the same manner to obtain indemnification for any injury they may sustain thereby, as if the said roads, streets, alleys or lanes had been opened in the manner usually pursued for opening roads.

Provision for opening, in future, streets, lanes, &c. within said district.

How the owners of ground, through which such streets, lanes, &c. may pass, are to be indemnified.

**SECT. VI.** *And be it further enacted by the authority aforesaid,* that it shall and may be lawful for the freemen residing within the limits aforesaid, and who shall have resided therein immediately preceding the day of election, and who are or shall be otherwise qualified to vote for members of the General Assembly, to

Of choosing street regulators.

meet together at the house of John Thompson, for the first election and afterwards at such place within the said district, as the regulators for the time being may appoint, between the hours of two and eight in the afternoon, on the first Monday in the month of May and on that day in the same month annually, and then and there choose by ballot out of the inhabitants residing within the said district, qualified to serve if elected in the General Assembly of the commonwealth, on the first election, three suitable persons for regulators, but if any vacancy should happen by death, resignation or otherwise, then such vacancy may be supplied by a special election.

How the elections are to be conducted,

SECT. VII. *And be it further enacted by the authority aforesaid* That all elections to be held in pursuance of this act, shall be conducted by two judges and one clerk, who shall be elected in the same manner and in the same place as the regulators, on the Saturday preceding the election of the said regulators, five days previous notice of the time and place of such election being publicly given by the regulators for the time being, and each of the said judges and clerk before entering on the duties in and by this act enjoined, shall take an oath or affirmation well and faithfully to discharge the same, and the said judges shall receive and count the votes and declare and notify the persons that are duly elected.

Duties of the regulators.

SECT. VIII. *And be it further enacted by the authority aforesaid* That the regulators so chosen shall together with the supervisors of the roads of the township of Moyamensing regulate or cause to be regulated all the streets, lanes, alleys or roads within the bounds before mentioned, that are or shall be of the width of twenty feet or more, but no street, lane or alley so to be regulated shall be of greater width than fifty feet, and also shall ascertain, fix, alter and regulate the water courses within the said limits and in case of complaints or dispute between the owners of adjoining lots, the said regulators shall fix the depth and situation of privies thereon, and fix the depth of privies generally, and if any person or persons shall oppose the said regulators or attempt to prevent them from performing the duties assigned to them by this act, they shall dig and erect and cause to be dug and erected any privies contrary to the directions of the said regulators relative thereto the person or persons so offending shall upon conviction before any justice of the peace of the county of Philadelphia, forfeit and pay the sum of twenty dollars.

Penalty on persons opposing them.

Of paving footways.

SECT. IX. *And be it further enacted by the authority aforesaid* That whenever and as often as application shall be made to the regulators in writing by a majority of the freeholders whose lots are improved, residing within the limits described in the first section

to whom they respectively represent complete legal titles in the the said heirs  
 to allotted them by the courts aforesaid. like releases  
 in favor of  
 those whom  
 they represent.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

PROVED—the twenty-eighth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER CXXVIII.

**ACT** making appropriations for the improvement of sundry state roads in this commonwealth.

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General*

*assembly met, and it is hereby enacted by the authority of the same, That* the sum of seven thousand five hundred dollars, be and the same is hereby appropriated for the purpose of improving the following state roads, *that is to say* : For improving the state roads in the county of Bedford, three thousand two hundred dollars, to be applied to the following roads in the following proportions, *to wit* : six hundred dollars for making the stage road from the top of the north mountain to M'Connelstown ; four hundred dollars for making the road from M'Connelstown to Reamor's at the east side of Sidelings-hill ; three hundred dollars for making the road to the top of the mountain at the nailor's shop ; four hundred dollars for making the road from the nailor's shop to the east side of the river Juniata ; three hundred dollars for making the road to the foot of Alequippa ridge on the west side thereof ; six hundred dollars to be applied from thence on both state roads to the west line of the county, and six hundred dollars for improving the old state road from its junction with the stage road on the top of Sidelings-hill eastwardly by Fort Littleton to the top of the Tuscarora mountain, at the Franklin county line, and four hundred dollars for improving said road to Strasburg in Franklin county ; for improving the post road from Mercersburg to M'Connelstown, five hundred dollars : For improving the state roads in the county of Somerset fifteen hundred dollars, to be applied in the following manner : five hundred and seventy-five dollars for improving the Pennsylvania state-road through Stoy's town ; five hundred and seventy-five dollars for improving the Glade state-road through the town of Somerset, and three hundred and fifty dol-

7500 dollars appropriated for improving the following roads. 3200 dollars whereof to improve the state roads in the county of Bedford.

900 dollars for improving certain state roads in Franklin county.

1500 dollars for improving the state roads in Somerset county.



1600 dollars  
for improv-  
ing the state  
roads in  
Westmore-  
land county

lars for improving the new Greensburg road, between the town of Somerset and the line of Westmoreland county: For improving the state roads in the county of Westmoreland, sixteen hundred dollars, to be applied in the following manner, *to wit*: five hundred dollars for improving the Glade state-road, from the top of Laurel-hill to Golden's tavern on the west side of Chesnut ridge; one hundred dollars for improving the road from Arnfried's tavern on the top of Chesnut ridge to Jacob's creek at the foot of said ridge; four hundred dollars for improving that part of the state-road laid out from Somerset to Greensburg, which lies between the top of Laurel-hill and the west side of Chesnut ridge, and six hundred dollars for improving the old Pennsylvania state-road from the top of Laurel-hill to the west side of Chesnut-ridge.

Monies how  
paid, and to  
whom.

How to be  
applied, and  
accounted  
for.

SECT. II. *And be it further enacted by the authority aforesaid* That for the purpose of carrying into effect the improvements aforesaid, not otherwise provided for by this act, the Governor shall be and hereby is authorized to draw his warrants on the state treasury in favour of the commissioners of the respective counties in which they are to be made, as soon as the improvements contemplated by this act shall have been completed, in such proportions as the respective counties are hereby respectively entitled to the same; to be paid out of any monies in the treasury not otherwise appropriated by law: And the said commissioners are hereby authorized and required to apply the sums of money to the amount hereby appropriated, to the purposes contemplated by this act, in such manner, by contract or otherwise as they shall judge most advantageous, and they shall exhibit a statement of their accounts and disbursements of the sums of money aforesaid, to the county auditors, of their respective counties, who shall settle and adjust the same in like manner as the accounts of county commissioners are in other cases settled and adjusted: And the auditors report on the accounts aforesaid, shall be laid before the Governor and receive his approbation previous to his drawing any warrant in consequence of this act.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-eighth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

anes or alleys included in the limits described in the fifteenth section of this act, without having first obtained the permission of the regulators and one supervisor or of any two of them for that purpose, he or they shall forfeit and pay the sum of four dollars, to be sued for and recovered as hereinafter directed.

ing lumber in the streets without permission from the regulators, &c.

SECT. XVII. *And be it further enacted by the authority aforesaid,* That if the chimney of any person or persons within the limits described in the fifteenth section of this act, shall take fire and blaze out at the top, the same not having been swept within the space of one calendar month next, before the time of such fire, every such person or persons shall forfeit and pay the sum of three dollars to be sued for and recovered as hereinafter directed.

Penalty on persons suffering their chimneys to take fire for want of sweeping.

SECT. XVIII. *And be it further enacted by the authority aforesaid,* That the several fines and forfeitures which may accrue by virtue of this act, may be sued for and recovered by action of debt, before any justice of the peace in the county, the moiety whereof shall be retained by the said justice, and by him paid over to the said regulators, and the other moiety shall go to the benefit of the poor of the township, saving however to either party, the right of appeal.

How fines and forfeitures incurred under this act are to be recovered and appropriated.

SECT. XIX. *And be it further enacted by the authority aforesaid,* That the said regulators shall be allowed the sum of two dollars per day, when they shall be employed in ascertaining and regulating the foundation of any party wall or front wall, to be paid by the party employing them, and the sum of twenty dollars per year for a clerk or secretary to assist them in managing and transcribing their proceedings in the business aforesaid, and their reasonable costs and charges in procuring the surveys and draughts therein necessary, and the said regulators shall receive no other compensation than is before specified for any other services.

Compensation of the regulators.

SECT. XX. *And be it further enacted by the authority aforesaid,* That the regulators on the first Monday in May, in each and every year shall produce a full and fair statement of the monies which have come into their hands, and the expences which they have incurred to the auditors elected to examine the accounts of the supervisors of the roads of the said township, who after adjusting the same shall publish them in one of the newspapers published in the city of Philadelphia.

Regulators to exhibit their accounts annually for settlement, &c.

SECT. XXI. *And be it further enacted by the authority aforesaid,* That any person or persons who shall wilfully and maliciously break and carry away the handles of any of the public pumps within the said limits, or otherwise injure and damage the same, and shall be thereof legally convicted before any justice of the peace, shall forfeit and pay not less than one nor more than ten dollars for each and every pump so broken and damaged.

Penalty on persons breaking or damaging pumps within the district.

SECT. XXII. *And be it further enacted by the authority aforesaid,*

Of the appointment of overseers of the poor within said district.

That one of the overseers of the poor who shall be nominated and appointed, and shall take upon themselves the duties of the said office within the said township of Moyamensing, on the twenty-fifth day of March next or afterwards, as immediate successors of the present overseers of the poor, shall not continue in office longer than six calendar months, to be determined by lot, and the other overseers shall continue in office until the third Monday of March, one thousand eight hundred and nine, and that on the third Monday of September next, or within ten days after the justices of the peace for the county of Philadelphia, or any three or more of them, shall meet at the county court-house in the city of Philadelphia, and then and there appoint and constitute a successor to serve for one year in the stead of him, who shall be appointed as aforesaid for six months, and so every third Monday of March, and every third Monday of September yearly, the said justices shall meet at the said court-house, and shall then and there appoint and constitute one of the said overseers in order that there may be always some experienced person in office; and if any person who shall be appointed an overseer of the poor in pursuance of this act, shall refuse or neglect to serve in the said office, he shall be fined in like sum, and the said fine shall be levied in like manner, and go to the same uses as if such person had been appointed on the twenty-fifth day of March, and had refused or neglected to serve thereupon.

Penalty on refusing or neglecting to serve.

SECT. XXIII. *And be it further enacted by the authority aforesaid,*

Powers and duties of the supervisors, &c. not to be affected by this act except, &c.

That the powers and duties of the supervisors of the highways and overseers of the poor, of the township of Moyamensing, shall not be affected or altered by any thing contained in this act, except that the time of election of supervisors, constables and auditors, shall for the future open as usual and continue till eight o'clock. The auditors shall settle the accounts of the overseers of the poor every six months.

SIMON SNYDER, *Speaker*

*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER LXXVII.

ACT supplementary to an act passed the second day of March one thousand eight hundred and five, entitled "An act to organize the Provisional County of Armstrong."

**SECTION I.** *BE* it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That actions of trespass and ejectment for trial of titles to land, actions of trespass, *quare clausum fregit*, for entry into any land or encroachments within the county of Armstrong, which may have been commenced in the county of Allegheny, prior to the first Monday in November, one thousand eight hundred and five, and are yet pending and undetermined, shall be transferred to the court of common pleas, and circuit courts of Armstrong county, there to be proceeded on to trial and determination according to law, in the same way, and subject to the same rules as they or any of them were in the county of Allegheny on the said Monday, and the prothonotary of Allegheny county shall, and hereby is required to make out a transcript docket, containing a statement of all such actions then pending and yet remaining undetermined in the said county of Allegheny, at, or before the first Monday of June next, and shall have said docket, together with the records, declarations and other papers relative to any such actions as may be yet pending and undetermined as aforesaid ready to be delivered to the prothonotary of Armstrong county, who before he receives the same shall pay to the prothonotary of Allegheny county, for every action so transcribed as aforesaid, the usual fees allowed for similar services, which shall be reimbursed to him by the county as aforesaid, and all actions transferred as aforesaid by the prothonotary of Allegheny county, to the prothonotary of Armstrong county, shall be considered as pending in the courts of common pleas and circuit court of Armstrong county, from and after the aforesaid first Monday of June next, as effectual to all intents and purposes, as if the same had been originated and commenced in the county of Armstrong, any law or laws to the contrary notwithstanding.

Actions of trespass and ejectment &c. for lands within the county of Armstrong, commenced in the county of Allegheny, prior to the first Monday of November, 1805, to be transferred to the courts of Armstrong county, &c. The Prothonotary of Allegheny county required to prepare a docket of all such actions for the Prothonotary of Armstrong county, who shall pay for the same, to be reimbursed by the said county, &c.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER III.

U. S. laws  
passed during the 1st  
session  
9th congress  
how to be  
distributed.

**RESOLVED** *by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,* That the secretary of the commonwealth shall distribute the laws of the United States, passed during the first session of the ninth congress, the property of this commonwealth, in the manner following: *viz.* To the governor, secretary of the commonwealth, deputy secretary, each of the officers of the land-office, the register and comptroller general, and state treasurer each one copy to each member of the present legislature, and to each of the clerks one, to the clerk of the senate for the use of that body eight, to the clerk of the House of Representatives for the use of that body twenty, and that he distribute what shall remain in the manner prescribed by an act which provides for the distribution of the laws of the United States, passed the twenty-second day of March, one thousand seven hundred and ninety-three.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the first day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER IV.

Master of  
the rolls  
within what  
time to furnish  
copies  
of the laws  
for the use  
of the printer.

**RESOLVED** *by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the Master of the rolls shall, and he hereby is directed to furnish to the secretary of the commonwealth a copy of every law and resolution deposited in his office for enrolment within fifteen days after he shall receive the same, in order that the printer of the laws may be furnished with copies in time to comply with the requisition of the first section of the act, entitled "An act to provide for the distribution of the laws and journals of the General Assembly of this commonwealth," passed April sixth, one thousand eight hundred and two.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the fifteenth day of February, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

oint congregations have been for upwards of forty years past in possession of about six acres of land in said township, whereon they have erected a church and a school-house, and inclosed a grave-yard; That the petitioners on examination, find that they have no title to said land, and they pray that the same may be vested in them and their successors in trust, to, and for the use of the above mentioned joint congregations: Therefore,

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the right and title to the tract of six acres of land or thereabouts, now in the possession of the joint congregation of Lutherans and German Reformed church, in Bern township, in the county of Berks, be, and the same is hereby vested in, and confirmed to the elders and wardens of the said joint congregations and their successors in trust, to and for the use of the said joint congregations: *Provided*, That nothing herein contained shall be construed to impair the right or interest which any person may have in and to the said tract of land at the passing of this act.

A title to six acres of land now in possession of the joint congregation of Lutherans and German reformed church in Berks county, vested in the elders and wardens of said congregations.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.



## CHAPTER LXXX.

*An ACT supplementary to an act, entitled "An act to organize the Provisional County of Venango."*

WHEREAS it has been represented to the Legislature by a number of petitioners from the inhabitants of the town of Franklin, and its vicinity, that much dissatisfaction has been excited in the minds of the owners of property in said town, on account of the uncentral situation in which it appears likely the public buildings must be erected, and as it appears that no power is lodged with the commissioners to place the public buildings in High-street, which is sufficiently wide for that purpose, which situation if chosen, would give public satisfaction: Therefore,

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

The scite  
fixed for  
the court-  
house in the  
town of  
Franklin,  
Venango  
county.  
Proviso.

That the commissioners of Venango county be, and they are hereby required when they shall think it proper to erect a court-house in the town of Franklin, to erect the same in the centre of High-street, an equal distance from the corners of the public square, which adjoins said street, any former law to the contrary notwithstanding: *Provided*, The court of quarter sessions of the county shall give it as their opinion, that the county commissioners may consistently with the nature of the contract which they have made, for the erection of the public buildings on the public ground in the said town, change the scite which they have fixed upon; and also, that the grand jury of the county of the next court of quarter sessions after the publication of this act, shall give it as their opinion, that the change of the scite to the centre of high street, would be of public convenience and utility.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER LXXXI.

*An ACT granting a sum of money to Elizabeth Buch, otherwise Pugh, for services rendered by her late husband in the Revolutionary war.*

**W**HEREAS it appears that John Buch, otherwise Pugh, late of Lancaster county, deceased, served his country for several years in the late revolutionary contest, and that for five months which he served in captain Jacob Liveguth's rifle company, in the winter of one thousand seven hundred and eighty-one, and one thousand seven hundred and eighty-two, neither the deceased nor his family have ever received any compensation: Therefore,

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the Governor be, and he is hereby authorized to draw his warrant on the state-treasurer in favor of Elizabeth Buch, otherwise Pugh, widow of John Buch, otherwise Pugh, deceased, for the sum of forty dollars, to be paid out of any unappropriated monies in the treasury.

Grant of for-  
ty dollars to  
Elizabeth  
Buch, alias  
Pugh.

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER LXXXII.

*An ACT directing the distributing of the Digest of the Laws of this Commonwealth in the German Language.*

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

*That the secretary of the commonwealth shall distribute the digest of the laws in the German language to each member of the present legislature, one copy; to the clerk of the senate for the use of that body, four; to the clerk of the house of representatives for the use of that body, eight; and shall transmit at the same time the laws and journals are sent to the commissioners of the county of Philadelphia, for the use of the city, fourteen; and for the use of the county, thirteen; Bucks, fifteen; Chester, fifteen; Lancaster, forty; York, thirty; Cumberland, twenty-five; Berks, thirty-four; Northampton, thirty-five; Wayne, eight; Northumberland, thirty; Washington, twenty-three; Westmoreland twenty; Indiana, eight; Armstrong, eight; Fayette, eight; Bedford, seventeen; Franklin, fourteen; Montgomery, sixteen; Dauphin, twenty-five; Luzerne, eight; Huntingdon, fifteen; Beaver, eight; Allegheny, ten; Butler, eight; Mifflin, twelve; Delaware, six; Somerset, twenty-two; Centre, ten; Lycoming, eight; Greene, eight; Adams, fifteen; Cambria, eight; Venango, seven; Erie, seven; Crawford, seven; Mercer, seven copies.*

The Secretary of the commonwealth to distribute the digest of the laws, in the German language; to the members of the legislature; Clerks of the two houses. To the commissioners of the respective counties for the use thereof.

**SECT. II.** *And be it further enacted by the authority aforesaid, That the county commissioners shall distribute the copies of the German digest by them received in the following manner, to wit:*

*To the several constables of the proper county, if the number ordered above be sufficient, if not sufficient, then to the constables of such townships and districts where the greatest number of Germans resides to be left by them at the house where the township elections are annually held for the use of the electors thereof: Provided, That where the number of copies hereby granted to any county shall exceed the number of constables therein, then the remaining copies shall be distributed among the supervisors of highways for their use, and to such other persons throughout the county as the commissioners shall conceive will use the same for the information of the people, and the supervisors going out of office shall deliver such copy by them received over to their successor in office.*

How the commissioners are to distribute those received by them.

**SECT. III.** *And be it further enacted by the authority aforesaid, That the secretary of the commonwealth shall transmit to each board of county commissioners for the use of their office one copy, and to each county district thereto annexed, one copy; and it.*

Further distribution.



shall be the duty of the commissioners to deliver said copy over to the board of commissioners as soon as such county shall have been organized.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

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### CHAPTER LXXXIII.

*An ACT to vest in, and confirm to the Elders and Wardens of the joint Congregations of Lutherans and German Reformed Church of Zion in Windsor Township in the County of Berks, the Title to Tract of Land therein mentioned.*

WHEREAS it has been represented by the elders and wardens of the joint congregations of Lutherans and German reformed church of Zion in Windsor township in the county of Berks, that the said joint congregations have held and now do hold in said township and county about forty acres of land on which there is a good school-house and a large complete new brick church and have inclosed a church-yard or burial-ground, for which improvements said congregations are considerably in arrear to mechanics and others: That the petitioners have lately discovered that their predecessors never had a title for said land, and they pray that the same may be vested in them and their successors in trust to and for the use of the said congregations: Therefore,

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the right and title to the tract of forty acres of land or thereabouts now in the possession of the joint congregations of Lutherans and German reformed church of Zion in Windsor township in the county of Berks, be, and the same is hereby vested in, and confirmed to the elders and wardens of the said joint congregations and their successors in trust to and for the use of the said joint congregations: Provided, That nothing herein contained shall be*

The title to forty acres of land vested in the joint congregations of Lutherans and German reformed church of Zion, in Berks county.

construed to impair the right or interest which any person may have in and to the said tract of land at the passing of this act.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.



## CHAPTER LXXXIV.

*A SUPPLEMENT to an Act entitled "An Act to enable the Governor of this Commonwealth to incorporate a Company to make an artificial Road from the Susquehanna River, at or near Wright's Ferry to the Borough of York."*

**W**HEREAS by the second section of the act to which this is a supplement, the whole number of shares must be subscribed for before the governor is authorized to incorporate the company for the purposes mentioned in the act: *And whereas* it has been represented by the petition of the commissioners named in said act, that in order to commence the work as soon as possible, that the company should be incorporated when a certain number of shares be subscribed for: Therefore,

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* when fifty persons or more shall have subscribed for one hundred and fifty shares of said stock, the commissioners shall certify under their hands and seals the names of the subscribers and the number of shares subscribed by each to the governor, whereupon he shall by letters patent under his hand and seal of the state create and erect the subscribers, and if the said subscriptions be not full at the time, then also those who shall afterwards subscribe into one body politic and corporate in deed and in law under the title and with like powers as are given by the act to which this is a supplement, and the company are hereby authorized to extend the said road opposite to the buildings on the east end of High street in the borough aforesaid: And that so much of the second

*When the turnpike company shall be entitled to a charter of incorporation.*

section of the act aforesaid to which this is a supplement, be, and the same is hereby repealed.

SIMON SNYDER, *Speaker*

*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

CHAPTER LXXXV.

[*Exemplification.*]

*An ACT providing that the person of a debtor shall not be liable to imprisonment for debt, after delivering up his estate for the benefit of his creditors, unless he hath been guilty of fraud or embezzlement.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Mode of application by insolvent debtors under this act.

That any debtor, having been an inhabitant of this state for two years next before his application, may apply by petition in writing, to the judges of the supreme court, or to the judges of the court of common pleas of the county where the said debtor resides, in term time, and offer to deliver up to the use of his creditors, all his property, real, personal and mixed, to which he is in any manner entitled, a schedule whereof (on oath or affirmation), together with a list of his creditors as far as he can ascertain them, and the nature of their debts, shall be exhibited with, and annexed to his petition, and thereupon the said court may direct personal notice of such application to be given to the creditors or so many of them as can be served therewith, or direct notice of such application to be published in the public newspapers, for such time as the said court may think proper, and on the appearance of the creditors of such debtor or their neglect to appear on notice at the time and place appointed, the said court may administer the following oath or affirmation to the debtor making such application. " I A. B.

Notice to creditors.

Oath or affirmation to be administered to the petitioning debtor.

" do swear, or solemnly, sincerely and truly declare and affirm, " that I will deliver up, convey, and transfer to my creditors, all " my property that I have or claim any title to, or interest in, at " this time in the world, and all debts, rights and claims which I " have at this time, or that I am in any respect entitled to, in possession, reversion or remainder, and that I have not directly or " indirectly at any time before given, sold, conveyed, leased, dis-

“ posed of or intrusted any part of my property, rights, or claims,  
 “ thereby to defraud or defeat my creditors or any of them, or to  
 “ secure the same, to receive or expect any profit, benefit or ad-  
 “ vantage thereby.”

SECT. II. *And be it further enacted by the authority aforesaid,*  
 That the said insolvent shall thereupon exhibit to the said court, Schedule to be exhibited and account given by the petitioning debtor.  
 a just and true account of his debts, credits and estate, real and personal, containing a statement of his losses and the means whereby he became insolvent, and shall satisfy the said court that he has not concealed or conveyed to any person or persons whatsoever, to the use of himself or any of his family or friends, or whereby to expect any future benefit to him or them, any part of his estate, effects or credits; and shall answer all and every such questions or interrogatories touching his estate and losses, by word or in writing, as shall be put to him by the court, touching his estate or losses aforesaid; and if upon such examination there shall not arise strong presumption of fraud, then the said court whether at its regular sessions or sitting at nisi prius, or by adjournment, shall appoint Trustees to be appointed  
 such trustee or trustees on behalf of the creditors, as two thirds in number and value of the said creditors who are then attending either in person or by attorney shall nominate, or in case the said creditors shall not attend or not nominate any trustee, then such trustee or trustees as the said court shall think proper, and shall direct the said debtor to execute a deed to such trustee or trustees for all his property, debts, rights and claims, in trust for his creditors, and upon the execution of such deed, the said court may make an order that the said debtor shall not at any time thereafter be liable to imprisonment by reason of any judgment or decree obtained for payment of money only, or for any debt, damage, cost, sum or sums of money, contracted, accrued or occasioned, owing or becoming due before the time of such assignment, and such order shall be a sufficient warrant to the sheriff, jailer, or keeper of the prison where any such debtor shall be then imprisoned to discharge the said debtor, and he is hereby required to discharge and set him at liberty forthwith. Assignment to be executed by the petitioning debtor. Order for the debtor's discharge.

SECT. III. *And be it further enacted by the authority aforesaid,*  
 That every trustee before he acts as such, shall give bond to the Trustees to give bond.  
 commonwealth with security in such penalty as the said court shall direct, for the faithful performance of his trust, and in case of the refusal or delay of any trustee to act, or in case of his death, the said court may appoint another in his room, who before he acts shall give bond with security as aforesaid.

SECT. IV. *And be it further enacted by the authority aforesaid,* Apparel and tools of trade to be retained.  
 That the said court who shall make the order aforesaid, may allow any such debtor to retain the necessary wearing apparel and

And dividends.

and what upon the balance to be liquidated by the trustees, shall appear to be in his hands, and all just allowances for necessary expences shall be made, and such part of the residue of the produce of the debtor's estate, as the trustees shall direct, shall be divided among those creditors who shall have duly proved their debts, in proportion to the amount of the same, and the said trustees shall take receipts from each creditor in a book to be kept for that purpose, and such receipts shall be a full discharge to the said trustees for so much as they shall fairly pay.

Surplus estate after satisfying creditors to be restored to the petitioner.

SECT. XII. *And be it further enacted by the authority aforesaid:* That if any debtor whose property shall be assigned according to this act, shall have satisfied all claims brought in and allowed against him, the said court shall order his estate and effects, not sold, to be restored to him, and he shall thereupon be seized and possessed thereof, as of his former estate, and if upon final settlement of the estate by the trustees, there shall be any surplus the same shall be paid to such debtor, his executors or administrators.

Compensation of the trustees.

SECT. XIII. *And be it further enacted by the authority aforesaid:* That the trustee or trustees of any debtor by virtue of this act shall receive such salary or commission for his or their trouble as shall be thought reasonable and ordered by the said court.

Proceeding to discharge a debtor arrested in execution in vacation.

SECT. XIV. *And be it further enacted by the authority aforesaid:* That if any debtor in vacation shall be arrested in execution, he shall apply by petition to any judge of the supreme court, or to the president or any two judges of the common pleas for the county where the debtor resides, and give bond to the plaintiff or plaintiffs, at whose suit he is arrested, in such penalty and with such security as shall be directed and approved of by the said judge or judges to whom the petition is exhibited, conditioned that he shall appear before the court, of which the said judge or judges is or are a member or members, at the next term, and surrender himself to prison, in case on his said appearance he does not comply with all things required by this act to procure his discharge, in the same manner as if he had applied to the said court in term time, or if the proceedings of the said judge or judges shall be stopped by information, to be made on oath or affirmation by one of the creditors or other person as aforesaid, then that if on the trial of the said issue, the said debtor shall be found guilty, he shall immediately surrender himself to prison to be charged at the suit of the plaintiff or plaintiffs aforesaid, in such case and on such bond being given, the said judge or judges may give an order to the sheriff, gaoler or keeper of the prison to discharge the said debtor, who is hereby required to discharge and set him at liberty, forthwith.

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The administrators of Jonas Heverstrite, deceased, authorized to convey a lot of ground in Montgomery county, to George Wunder.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That Elizabeth Heverstrite, and Thomas Shoemaker, administrators to the estate of Jonas Heverstrite, deceased, are hereby authorized to make and execute a good and sufficient title to George Wunder, his heirs and assigns, for a lot of land, situate in Abington township, and county of Montgomery, containing seven acres and three perches with the appurtenances, as the same is meted and bounded, which title shall be as available in law, as if it had been made by the said Jonas Heverstrite in his life time.*

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER LXXXVIII

*An ACT declaring the Marriage of Samuel Hamm and Mary Hamm, (late Mary Beerbrower,) to be fraudulent, null and void.*

**W**HEREAS it has been represented to the legislature, that Samuel Hamm, of York county, was by duress and intimidation, under the semblance and colour of legal authority, and without his free and voluntary consent induced to enter into a marriage contract with a certain Mary Beerbrower, and with whom the said Samuel Hamm, utterly refused to live after marriage: Therefore,

SECT. I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the marriage of the said Samuel Hamm and Mary Hamm, be, and the same is hereby declared to be void and annulled to all intents, constructions and purposes whatsoever, and they are hereby respectively declared to be separate, set free and totally discharged from the matrimonial contract, and from all duties and obligations arising therefrom, as fully, effectually and absolutely to all intents and purposes, as if they had never been joined in matrimony, or by*

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Proviso in favor of persons owning or possessing lands on said river.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER XCI.

*An ACT appropriating the State-house in the City of Philadelphia, to the use of Congress, if within a limited period the Seat of the National Government shall be removed to the said City of Philadelphia.*

Conditional appropriation of the State-house in the city of Philadelphia, to the use of congress,

SECT. I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That if the seat of the national government shall within three years be removed from the district of Columbia to the city of Philadelphia, the State-house in the city of Philadelphia shall be, and hereby is appropriated to the use of Congress during their residence in the said city: And shall be subject to such rules and regulations as congress shall make for their better accommodation and convenience.*

In case of the removal of congress to Philadelphia, the State-house may be altered

SECT. II. *And be it further enacted by the authority aforesaid, That if within the period aforesaid, the seat of the national government shall be removed as aforesaid, the commissioners of the county of Philadelphia shall have power and are hereby authorized to make or cause to be made such alterations or additions to*

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SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER XCIII.

*An Act to amend certain Parts of an Act entitled "An Act Supplementary to the several Acts of this Commonwealth, concerning Partitions and for other Purposes therein mentioned."*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General As-*

Alteration of the notice required by the 3d section of the principal act.

*sembly met, and it is hereby enacted by the authority of the same, That instead of the provision in the third section of the act entitled "an act supplementary to the several acts of this commonwealth, concerning partitions and for other purposes therein mentioned," passed April seven, one thousand eight hundred and seven, which requires the publication of the copy of the writ of partition in certain cases in one daily newspaper of the city of Philadelphia for the space of two months prior to the return day thereof, which by experience is found to be grievous and unnecessarily expensive, it shall be sufficient to make publication of the nature and substance of any such writ of partition, and if such publication be made in such daily newspaper one day in each week for six weeks successively, prior to the return day of the writ, and in the same manner in one newspaper printed within or nearest to the county where such writ is to be executed, it shall be deemed an effectual service in the cases by the said section intended to be provided for any thing therein to the contrary notwithstanding.*

And also of the notice required by the 8th section of said act.

SECT. II. *And be it further enacted by the authority aforesaid, That the publication of the notice required in and by the eighth section of the said act, after an appraisement or partition of an intestate's estate, shall be deemed sufficient if published in at least one newspaper, printed in the proper county, or if there be none therein, then in the county nearest thereto wherein a newspaper may be published, and at least once a week for four weeks successively, prior to the return thereof, in one daily newspaper of the city of Philadelphia. And on any application for a valuation or partition of an intestate's estate, where any of the children or legal*

representatives reside out of the county wherein the lands lie, notice in like manner may be given where personal notice cannot be given as required by the said section of the time and place of executing the order of the court and taking the inquisition thereon. And if upon the return of any such inquisition, all the children or legal representatives of the intestate shall appear in court personally or by guardian or attorney in fact duly constituted, and refuse to accept of the estate or any part thereof if divided at the valuation thereof, and shall unanimously desire the same or any part to be sold by the order of the court, the said court may order or decree the sale thereof without granting any rule to shew cause why the said estate or part thereof should not be sold, any practice to the contrary notwithstanding: and to remove doubts, all proceedings heretofore had, and decrees made in the orphans' court in pursuance of the act entitled "A further supplement to the act entitled an act directing the descent of intestates real estates and distribution of their personal estates and for other purposes therein mentioned," passed April second, one thousand eight hundred and four, or of the act which is hereby amended where notice has been given in the newspapers of the application for a partition or valuation or whereby the consent of the legal representatives a rule to shew cause has been waived, if otherwise legal, are hereby declared to be valid.

Where all the children of the intestate refuse to accept the estate at the valuation and desire the same may be sold, the court may order the sale thereof, without granting a rule to shew cause, &c.

Confirmation of proceedings had and decrees made by the orphans' court under a former act of assembly.

SECT. III. *And be it further enacted by the authority aforesaid,* That where the orphans' court of any county hath heretofore decreed or hereafter may decree a sale of an intestates' real estate or part thereof by the administrators, the said court is hereby authorized to require and take sufficient security from such administrators conditioned for the faithful execution of the power committed to them in making such sale, and truly to account for and pay over the proceeds thereof in such manner as the said court shall legally decree.

In case of a decree by the orphans' court of the sale of an intestates estate by the administrators: Said court authorized to require security, &c.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

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## CHAPTER XCIV.

*An ACT making appropriation for the improvement of the State Road, leading from Philadelphia through West Chester to Strasburg, and also for the building and repairing of Bridges in Delaware county.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

Appropriation for the road.

That the sum of two thousand dollars be, and the same is hereby appropriated, out of the arrearages of state taxes due this commonwealth from the county of Chester, to the improvement of that part of the state road leading from Philadelphia through West Chester to Strasburg, which lies within the county of Chester, to be recovered, received and expended, by the commissioners of the county of Chester, in such manner as they shall deem most conducive to the general interest, in repairing the part of the aforesaid road which lies in the county aforesaid; and that the further sum of two thousand dollars be appropriated, out of the arrearages of state taxes due from the county of Delaware, as originally a part of the county of Chester, for the purpose of building and repairing bridges in the county of Delaware, in such manner as the commissioners of the said county shall direct.

Appropriation for the bridge.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

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## CHAPTER XCV.

*An ACT to dissolve the Marriage Contract between Alexander Kerr and Ruth his Wife.*

WHEREAS Ruth Kerr, of Washington county, by her petition to the Legislature, hath represented that in the year one thousand seven hundred and ninety-five she was married to Alexander Kerr, with whom she lived in a miserable situation (being often beaten and her life frequently threatened) until the year one thousand eight hundred and three, when the said Alexander Kerr deserted her, with four small children, and has not afforded her any subsistence, and that though the said Ruth might possibly obtain a divorce by application to the court, yet that she is unable, by reason of poverty, to pay the expences incident thereto, and therefore prays Legislative aid, and it being just and reasonable that relief should be afforded in such cases: Therefore,

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That*

the marriage of the said Alexander Kerr and Ruth Kerr, be, and the same \* is hereby annulled to all intents and purposes whatsoever, and they are hereby set free and totally discharged from the said matrimonial contract, and from all duties and obligations arising therefrom, as fully and absolutely as if they had never been joined in matrimony.

The marriage of Alexander Kerr and Ruth Kerr annulled.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

## CHAPTER XCVI.

An ACT to establish an Auction Store in the Borough of Lancaster.

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That an auction store shall be, and the same is hereby established in and for the borough of Lancaster, and the Governor shall appoint not more than two auctioneers therefor, and the same shall be in all respects regulated and be liable to similar duties, as is directed by law with respect to the city of Philadelphia; and the auctioneers shall be entitled to the like commissions, shall give security, and be subject to account, in such manner as is directed with respect to the auctioneers of the city of Philadelphia: *Provided,* That nothing herein contained shall be construed to prohibit any sheriff, constable, or other officer, to sell and dispose of, by way of vendue, any goods and chattels, wares or merchandizes, taken in execution and liable to be sold by order of law, or to hinder any person or persons from selling or exposing to sale by public vendue, or otherwise, any goods or chattels of any kind whatsoever, taken and distrained for rent in arrear; or any person or persons removing, or changing his, her or their place of residence, from selling, by public vendue, any goods or chattels; or any executor or executors, administrator or administrators, to sell by vendue, or otherwise, any goods or chattels which were of their respective testator, or intestates, in the same manner they might or could have done if this act had not passed.

An auction store established in the borough of Lancaster. How to be regulated, &c.

Proviso.

SECT. II. *And be it further enacted by the authority aforesaid,* That this act shall be and continue in force three years, and from

Limitation of this act.

\* "are" in the original.

thence until the end of the next session of the General Assembly, and no longer.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

CHAPTER XCVII.

*An ACT authorizing a review of the State Road leading from Blair's Gap, to the Western boundary Line of the State, so far as the same lies in Armstrong and Cambria counties.*

SECTION I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the courts of quarter sessions of Armstrong and Cambria counties respectively, be, and they are hereby authorized to appoint six disinterested and reputable freeholders, to view such part of the state road, laid out from Blair's Gap to the western boundary line of the State, which passes through the said counties respectively; and if upon the report of the said viewers, or any five of them, to the court by whom they were appointed, making any alteration in the route of the said road, the court should approve and confirm the same, a draft of the courses and distances of such alterations shall be filed in the office of the clerk of said court, and a duplicate thereof transmitted to the Secretary of the Commonwealth, and the said road so laid out shall thereafter be part of the State Road aforesaid, and that part rendered unnecessary thereby shall be vacated; and the expence of the viewers shall be paid by warrants drawn by the commissioners on the treasury of Armstrong and Cambria counties, respectively.*

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

THOMAS M'KEAN.

CHAPTER XCVIII.

*An ACT confirming the title of James Robeson to certain lands therein mentioned.*

Court of  
quartersessions of Arm-  
strong and  
Cambria  
counties to  
appoint  
viewers to  
view certain  
parts of the  
state road,  
from Blair's  
Gap to the  
western  
boundary  
line of the  
state.  
Report of  
the viewers.  
A draft of a-  
ny alterati-  
ons in the  
road to be fil-  
ed in the  
clerk's office,  
and a dupli-  
cate trans-  
mitted to the  
sec'y of the  
common-  
wealth, &c.

**W**HEREAS it is represented by James Robeson of Washington county, that he is a native of Ireland, and that he arrived in this state the fourteenth day of August, in the year one thousand seven hundred and ninety-one, with an intention of residing therein, and that in the month of September, in the year one thousand seven hundred and ninety-eight, he purchased one hundred and seventy-one acres of land of David Bradford, Esq. situate on the Head-waters of Wheeling creek in Finly township, in the county of Washington, bounded by lands of James Stevenson, and other lands of David Bradford, Esq. now of Lewis Morris, lands of one Shaw and lands of Robert Robeson, and received a deed of conveyance for the same, bearing date the fourth day of September aforesaid, and on the twenty-second day of November, in the year one thousand eight hundred and five purchased and received a deed of conveyance from James Stevenson, for eighty six acres of land adjoining the aforesaid tract of land and lands of James Cooper, Manning Martin and David Gibson, in the township and county aforesaid, and has been in possession, and resided on the first described tract of land ever since the purchase thereof; and whereas it appears that the petitioner at the time of the purchases aforesaid, was unacquainted with the laws relative to aliens purchasing and holding lands within this commonwealth; and has since become a citizen of the United States according to the laws enacted in that behalf: Therefore,

**SECTION I.** *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* the title to all and singular the above described tracts of real estate with the appurtenances acquired by the said James Robeson, by his deeds of indenture made to him by the above named David Bradford, Esq. and James Stevenson, shall be and remain as firm, valid and effectual in law to all intents and purposes whatsoever, as if the said James Robeson had previously thereto taken and subscribed a declaration of his intention to become a citizen of the United States, any thing in the aforesaid act, entitled "An act to enable aliens in certain cases to purchase and hold real estates within this commonwealth," or in any other act to the contrary thereof, in anywise notwithstanding.

The title to two certain tracts of land situate in Washington county confirmed to James Robeson.

**SIMON SNYDER,** *Speaker*  
*of the House of Representatives.*

**P. C. LANE,** *Speaker of the Senate.*

**APPROVED**—the twenty-sixth day of March, in the year one thousand eight hundred and eight.

**THOMAS M'KEAN.**



## CHAPTER XCIX.

*An ACT further to extend the time for patenting lands and for other purposes.*

The act for extending the time for patenting lands further extended.

Act for distributing donation lands, continued.

Also the act providing for payment of certain balances of purchase money on certain lands.

SECT. I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the act entitled "An act to extend the time for patenting lands and for other purposes," passed the twenty-sixth day of January, one thousand eight hundred and two, and all matters and things therein contained shall be and is further extended for three years from and after the passing of this act.*

SECT. II. *And be it further enacted by the authority aforesaid, That the act entitled "An act regulating and continuing the distribution of donation lands," passed the twenty-fifth day of March, one thousand eight hundred and five, be, and the same is hereby extended, and all matters and things therein contained (the limitation clause only excepted) shall be, and continue in force until the first day of April, one thousand eight hundred and nine.*

SECT. III. *And be it further enacted by the authority aforesaid, That the act entitled "An act to provide for the payment of certain balances of purchase money yet due and remaining charged on lands which have been patented on warrants obtained since surveys were originally made in pursuance of old proprietary warrants and location and for other purposes," passed April second, one thousand eight hundred and four, be, and the same hereby is continued and declared to be and remain in full force, until the first day of September, which will be in the year one thousand eight hundred and nine.*

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-eighth day of March, in the year one thousand eight hundred and eight.

THOMAS McKEAN.

—:—:—  
CHAPTER C.

*An ACT for the further Establishment and Regulation of Electric Districts.*

SECT. I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the township of Belfast in the county of Bedford, be, and the same*

hereby erected into a separate election district, and the electors thereof shall hereafter hold their general elections at the house now occupied by Aaron Clevinger in said township.

Belfast township, in Bedford county, made an election district. Place of election. Rush and Lausanne townships, Northampton county, and place of elections.

SECT. II. *And be it further enacted by the authority aforesaid,* That the townships of Rush, and Lausanne in the county of Northampton, be, and the same are\* hereby erected into a separate election district, and the electors of said townships shall hereafter hold their general elections at the house now occupied by Elias Berlitz in the said township of Lausanne.

SECT. III. *And be it further enacted by the authority aforesaid,* That the township of Harford in the county of Luzerne, be, and the same is hereby erected into a separate election district, and the electors thereof shall hereafter hold their general elections at the house now occupied by Hosea Tiffeny, esquire, in the said township.

Harford township, Luzerne county, and place of elections.

SECT. IV. *And be it further enacted by the authority aforesaid,* That all that part of Dublin township in the county of Bedford that lies within the Great Cove, beginning at the division-line near the Narrows south of Christian Wagoner's, and from thence west course to the Scrub Ridge Mountain so as to include Mahias Ambrosure's farm, be, and is hereby re-annexed to McConnelstown election district, and the electors thereof, shall hereafter hold their general elections at the house now occupied by Jacob Fore in McConnelstown.

Part of Dublin township, in Bedford county, re-annexed to McConnelstown election district. The place of elections.

SECT. V. *And be it further enacted by the authority aforesaid,* That the township of Abington in the county of Luzerne, be, and the same is hereby erected into a separate election district, and the electors thereof shall hereafter hold their general elections at the house now occupied by Robert Stone in Abington, and to be called the Abington district.

Abington township, Luzerne county, and place of elections.

SECT. VI. *And be it further enacted by the authority aforesaid,* That the township of Mountpleasant in the county of Washington, be, and the same is hereby erected into a separate election district, and the electors thereof shall hold their general elections at the house now occupied by Samuel Miller, innkeeper in the town of Mountpleasant.

Mount pleasant township, Washington county, and place of election.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the township of Bridgewater agreeably to the present boundary lines thereof in the county of Luzerne, be, and the same is hereby erected into a separate election district, and the electors thereof shall hold their general elections at the house now occupied by Edward Fuller on the post road leading through said township.

Bridgewater township, Luzerne county, and place of election.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the inhabitants of the seventh election district in the county

Place of elections in the

